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THE

Cripple Creek Strike.

1903-1904.

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BY MRS. EMMA F. LANGDON,

VICTOR, COLO.

Yours Truly,

Mrs. Emma F. Langdon

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"This work received the unanimous endorsement of the Colorado State Federation of Labor by 350 delegates representing 50,000 union men and women of the state of Colorado, in convention assembled at Denver, Colo., Jan. 11 to 14, 1904.

J. C. SULLIVAN, President.

"H. B. WATERS, Secretary."

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The Cripple Creek Strike

1903-1904

By Mrs. Emma F. Langdon
VICTOR, COLORADO

Being a complete and concise description of the efforts of organized opposition to unionism and trades unions to crush the same in the Cripple Creek district, the greatest gold producing district of its area in the world. by a disinterested eye-witness.

In view of the fact that the Western Federation of Miners have made a lawful, law-abiding and manly fight against the lawless, corrupt and un-American methods of those against whom they have a grievance, to the Western Federation of Miners and loyal labor organizations of the state of Colorado I respectfully dedicate this work.

MRS. EMMA F. LANGDON.

TYPOGRAPHICAL
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INTRODUCTION

The state of Colorado has ceased, under the administration of James H. Peabody, to be Republican in its form of government, and is a military oligarchy. The expressed will of the people has been ignored by their chosen representatives; thus bringing upon the state a series of calamities, the magnitude of which may now readily be seen.

It is deplorable that the state, at this time, is dominated by public officials who conceive that they are the masters and not the servants of the people; of a coterie of men who cast law, decency and that inate fairness which distinguishes the statesman of capacity from the truckling politician to one side, and dropping to the level of a Machivelli, pursue those policies which obtain for success, regardless of the principles upon which the American Republic is founded—in short, that "the end justifies the means."

Again, the instrumentalities employed in the present crisis in this state are not such as would be employed by a statesman, and are such as would rather be used by one whose hands are stained with questionable commerce. The writer used to think it singular that the merchant prince, A. T. Stewart was denied a position in Grant's cabinet, because, as was asserted at the time, his hands were stained with commerce, but the brilliant galxy of statemen then in control of the government knew well their business; knew that statesmen are not made of the calibre of men who are accustomed to hiding the world from their vision with that small coin, the nickle.

The commonwealth of Colorado is now experimenting with such an one. The experiment is costly. The people of the state have elevated to the highest position within their gift one who dared not deny that he was a Shylock, a money monger, such an one as Jesus Christ scourged from the Temple with thongs—James H. Peabody—cheap (except when spending public funds on eastern junketing trips), and, as Macauly said of a certain potentate, "little in war, little in government, little in everything but the art of simulating sturdiness of purpose." Such is Peabody. All that is lacking to make him as contemptible as James II. or Charles I. is a Judge Jeffries or Judge Impeys.

This man is the mere puppet, the chiefest instrumentality, of that coterie of men who, while they shout law and order, throttle liberty and subvert courts of justice. His proclamation, like those bulls launched against distant empires by the medeival church of Rome, startle the country and bring discredit on the state; but to those who live amidst the scenes of his anthemas; to those who are on the ground and are familiar with the mechanism that moves the puppets of his wretched devices; to all such his fearful maledictions are a source of amusement and contempt.

General John C. Chase was, for a time a very potent and "fierce" factor in what the governor ascribes as that "rebellious" territory of Teller county; but the fierce extractor of old ladies' teeth was too strenuous even for his excellency and Bell, and, consequently, the daughty general was disgraced and retired to the sanctity of his dental parlors in the capitol where he might practice without let or hindriance the "fierce" art of wrestling with decayed teeth.

John C. Chase, in some mysterious manner, has had the title of soldier thrust upon him; but there is much diversity of opinion as to the justness of the thrust. If, with a couple of hundred rookies, to chase ladies and gentlemen up and down the street who are out for a Sunday afternoon's stroll, is a characteristic of a soldier, then is he worthy of the title; if to place sharpshooters on the roofs of buildings, command the approaches to the district court of Teller county with gatling guns, invade the aforesaid court with an armed force, in order that he might have the courage to defy its decrees; if, from any possible viewpoint, these acts can be construed into those qualities which go to make up the soldier, then must the writer admit that Chase is a soldier; if, with a company of cavalry and another of infantry, to invade a printing office, seized its inmates at a late hour of night (one would suppose that only thieves and burglars choose midnight hour for acts of outrage) and thrust them into a foul tent, out of which to make room a number of drunken members of the guard had been removed; and it must be remembered that these men were not even provided with blankets. If to these acts can be ascribed the character of a man of honor, the just citizen, the humane general, then, indeed, is John C. Chase a soldier.

John C. Chase (the writer will not call him general, for, having resided for many years at one of the greatest military posts in the United States, and having been partially educated at aforesaid fort, she knows those qualities which constitute, first, the gentlemanly officer; second, the man who is always a gentleman; third, the soldier; fourth those fine qualities which distinguish an officer of the United States army from one whose military career has been confined within the limits of a mere tin soldier on state occasions, and a herder of scabs during troubles) will not deny that he headed the aforesaid predatory expeditions.

Another "soldier" who was conspicuous in the "proscribed area" is Adjutant General Bell, brigadier general, adjutant general, state of Colorado—"It" of the iron jaw, and let it not be forgotten that it takes a heavy head to support an iron jaw. Bell arose to fame from the humble position of a deputy United States marshal—professional thief taker and adept in the art of unraveling and creating dark and bloody plots. Too valuable was he to remain in the field and after the shelving of the warrior, Chase, he was returned to the capitol, for, be it remembered, squaking geese had saved the capitol of Rome, and might not Bell be used in a like manner to save Peabody and the credit of his administration. At any rate, shortly after his return to the capitol, according to the public press, numberless mines in the district were to be dynamited, miners were in danger of being lynched and men fell over themselves in their efforts to make confessions of grave crimes. That was a stroke of policy worthy a Richelieu. As a matter of fact the original policy of intimidation and violence outlined by the cabal had utterly failed. The press and public sentiment throughout the state, it was seen, was decidedly against the policy of ruffianism instituted. Hence, Bell's recall to the capitol, where his peerless art as a fictionist—his superior abilities as a manufacturer of mountains out of mole hills—was given free rein. Then were mines to be dynamited; then were men to be lynched; then had men made fearful confessions—all phantoms of Bell's imagination.

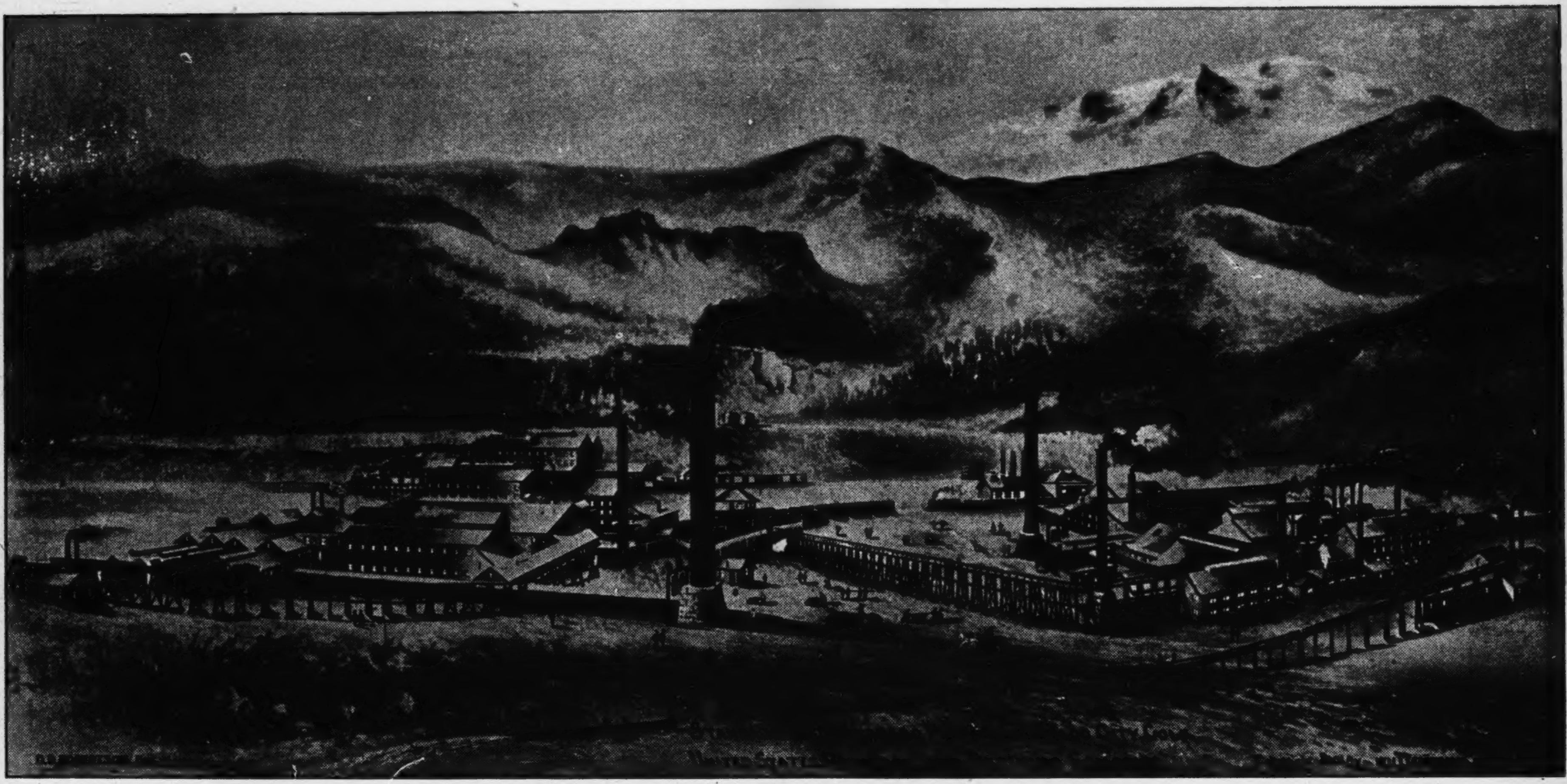
These fictions were given wide publicity for the purpose only of preparing the public mind for a new policy, about to be introduced—that of martial law.

Thomas McClelland, major, is another "aggressive" factor of the war of extermination. The position assigned McClelland seems to have been the real "dirty work," such as breaking into halls and printing offices and seizing the inmates thereof; thrusting civil officers out of hallways in their efforts to serve papers upon officials—in short to perform all those menial offices which an officer of the regular army would spurn with contempt.

But the meanest, lowest, most vile of the instrumentalities employed by this honorable cabal in the accomplishment of its purposes is one Frank Vannick, ex-convict, No.——; a man of whom it is said, that to shield himself from prison walls, turned states' evidence and sent his own brother to the institution which he thereby avoided for a time-only. Peabody, the chiefest; Vannick, the least; both of Canon City, Colo., one, a banker, a resident of the town; the other, an inmate of a prison. Fit instrumentalities to subvert courts, suppress free speech, censor the press, thrust citizens into bullpens without warrant of law, invade public halls, break into dwellings and rifling them of their contents during the absence of the owners thereof.

Such are the atrocities that the people of this district have suffered, and yet have maintained a calm dignity that gives the living lie to Peabody, Bell and the Mine Owners' Association.

So far as the writer has been able to observe organized labor of the Cripple Creek district has sought to maintain law. Organized labor has sought to enforce the laws against gambling, and when convictions have been secured James H. Peabody, governor of Colorado, has intervened with the executive pardon—probably on the principle that gambling and Shylocking are not widely different occupations. Organized labor has been sought to close those scourges of civilization—the dance halls—wherein the souls of women are sacrificed on the altar of lust; wherein more disorder and brawls originate than in any other institutions in the mining camp. It is not observed that James H. Peabody or the military have closed them. Presumably this commerce in woman's virtue does not appeal strongly to the governor's fine sense as an evil that should be suppressed, for, according to Judge Owers, one may rise from the position of a dance hall proprietor to be even a banker; yea, even as James H. Peabody.



UNITED STATES REDUCTION AND REFINING PLANT AT COLORADO CITY, WHOSE GENERAL MANAGER, C. M. M'NEILL, IS ALLEGED TO BE THE CAUSE OF THE CRIPPLE CREEK STRIKE BECAUSE OF HIS ARBITRARY ACTION IN REFUSING TO REINSTATE THE WESTERN FEDERATION MEMBERS AS HE IS SAID TO HAVE PROMISED TO DO AT THE SETTLEMENT OF THE PRELIMINARY STRIKE.

The Cripple Creek District.

In speeding toward the west, after many days of the same monotonous view of rolling prairie, stretching onward, ever onward, bounded only by distant blue of the horizon, the weary traveler is startled by what at first appears to be an enormous blue and white cloud. The sight holds one spell bound with awe and admiration and it is many minutes before one can realize that mighty mass looming up apparently from the prairie and piercing the sky is the first glimpse of that Titan sentinel among Titans, Pike's Peak, over seventy-five miles still to the westward.

The name is reminiscent of another time, and as the tourist of today is whirled across the continent, enjoying all of the comforts of his home, he can hardly appreciate the hardships, the ,privations of those early Argonauts, whose slogan was "Pike's Peak or Bust" in the days of '59. Words cannot adequately portray the vicissitudes and dangers of the time. The journey was made in what was commonly termed a prairie schooner. The dangers of such a trip were manifold, but the greatest source of anxiety arose from the hostile tribes of Indians. Along the line of the great transcontinental railroads, the bones of thousands lie bleaching, countless graves dot the prairie, graves of men and women who left their Eastern homes, who turned their backs on all they held dear in life and braved the terrors of an unknown country for gold. The sun always sank in a blaze of gold, rose with the promise of a golden future, and many died in the contemplation of that illusion. The saddest of those Argonauts were the survivors whose hopes were so cruelly blasted on the arrival at their journey's end. True, a few traces of gold was discovered at that time around the foot-hills of Pike's Peak, but of too minute a character to permit of profitable development.

Twenty years later, in 1879, the Mt. Pisgah excitement swept over the West, and a rush was made for the new El Dorado. This was a fake, pure and simple, and the authors narrowly escaped well-deserved lynching. But the bitterness and irony of fate is evinced in both of these rushes. Almost in the shadow of Pike's Peak, the riches of Golconda awaited the prospector's pick; while the fortune hunters who rushed to Mt. Pisgah walked over the Portland, Independence, Gold Coin, Vindicator, El Paso, Ajax, Last Dollar, Isabella and hundreds of other rich mineral deposits.

The Cripple Creek district, contributing as it does, the vast sum of $24,000,000 in gold annually, to the world's wealth, has been for the last few years an object of great interest to the entire commercial world. The richness and magnitude of the treasure so cunningly hidden by the hand of nature in this store-house, has attracted the attention of both foreign and American capital, and the tourists who visit this wonderful gold camp is amazed with the extent of the great enterprises that he sees developing before him.. Many discoveries have been made in the past ten years, of which I will speak very shortly, but first a word about the early prospectors. Mountains in the immediate vicinity of the mining belt were dotted, a few years ago, with little homes made preparatory for the wives and children who had been left behind and were coming to make their homes in the new camp. The number of these huts and cabins grew so rapidly that it soon become necessary to incorporate them into towns.

The prospector, with his old-fashioned windlass, slow method and hand drills, was rapidly displaced by the capitalist, monster steam and electrical appliances, steam hoist and steam drill. Railroad companies vied with each other in the display of wonderful and heretofore unheard of engineering feats in competition for the enormous receipts for ore transportation. The mines were surrounded with a net-work of steel rails, thrown over the mountain tops, and connecting the great gold producers with the smelters and mills in the valley below. The speculator and capitalist came to get that which the prospector had found, and from then until now every inch of valuable ground, staked as a claim by the miner, has in some manner found its way into the hands of corporation capital.

As has been shown in the foregoing, Cripple Creek and Victor owe their present prosperous lives to the indomitable will and perseverence of a few early prospctors, who, notwithstanding the adverse opinions of experts, stuck doggedly, to their claims. Gold was first discovered in 1889, but it was not until 1890-91 that its true worth was appreciated. The camp owes its prosperity to the financial panic of '93, which brought thousands of unemployed to the district, owing to the fall in silver. About this time the fame of the district began to attract the attention of the experts, who, after thorough and exhaustive examinations, were almost a unit in their disapproval of the district. Gold could not occur in this formation, they argued; pockets might be opened up, but as for continuous ore bodies, it was ridiculous. Never in the history of mining was the truth of the old axiom more sharply verified: "Gold is where you find it."

From an unknown, obscure and doubtful mining camp—from a ranch where cattle browsed quietly day by day, where the cowboys lived and dreamed of fortunes to come, all unconscious of the millions beneath their feet, there has sprung, as if in a night, a mining district whose richness and extent has astonished the world. From a few huts and cabins have sprung cities—Victor and Cripple Creek—that compare favorably with any in the world for population. They are beautiful little cities of brick and stone buildings, fine homes, modern schools, morning and evening daily papers, churches of all denominations and hotels with all modern accommodations.

It is a common mistake made by people who have never lived in a mining town, to associate the name "mining camp" with a mushroom town, rough, rowdy men, who prefer outlawry to a good square meal. Imagine their surprise when they visit the camp to find instead a beautiful city, with quiet, law-respecting and law-abiding citizens.

Victor Avenue, Victor, Colorado.

Cripple Creek is the county seat of Teller county, and ranks first in size of the ten incorporated towns of the district, having a population of from 12,000 to 15,000.

Victor is located in the extreme southern limit of the district, ranking next to Cripple Creek in size with a population of about 7,000. Goldfield, also has the honor of being a city of the second class, making three cities of the second class in the district of ten incorporated towns. Goldfield has a population of near 2,000 and is only a nice walk from Victor.

Altman, upon the very crest of Bull hill, enjoys the distinction of being the highest incorporated town in America, if not in the world. It is strictly a mining town and affords homes for the miners of that famous hill, who had rather live the year round at an altitude of nearly 11,000 feet than to be compelled to travel far from their place of employment. All of the other incorporated towns in the district are of more or less interest, but for lack of space I will pass them by.

Altman, highest city in the world, on Bull hill.

At 1 o'clock of April 25, 1896, a woman of Cripple Creek, in a quarrel, overturned a gasoline stove and in that way started a conflagration which almost completely destroyed that city during its greatest boom. But soon the enterprising citizens of that flourishing little city were busy rebuilding.

Victor also had a fire which came near banishing it from the face of the earth, August 21, 1899. The fire will always be remembered and talked of by those who happened to be in the district at that time. The great Victor fire destroyed property to the value of a million dollars and rendered 3,000 people homeless at that time. The fire spread through the frame, pioneer buildings of the city as if it had been a heap of kindling wood. But there is no pluck like the pluck of the man who has upreared the cities and towns of the West. Calamity can not discourage him, for, checked in one direction, he will expend his energies in another. Victor was then, as now, the city of the mines, and as such she had reason for living. Her citizens brushed the smoke from their eyes, shoveled away the embers from their lots, and proceeded to build a bigger and more substantial city, the frame buildings which had been destroyed being replaced by stone and brick structures.

Victor became incorporated in 1894, and in 1898 it was elevated to the dignity of a city of the second class.

The two cities, Victor and Cripple Creek, are entirely surrounded by mountains of more or less note, with Pike's Peak in plain view twelve miles away. The cities just named are connected by two electric and three steam lines, one of the steam lines being a narrow gauge. The suburban train service is perfect, and as you ride between the two little cities, you will find along the lines smaller towns nearly every mile.

During normal conditions, there is, counting all trains, a service of 222 separate and distinct trains running into Cripple Creek and Victor every twenty-four hours! It seems marvelous but it is nevertheless true.

The scenery viewed from any of the local points of interest is grand and surpasses description. The cars round the spur of a mountain, now through a gorge, now over high trestles, now through tunnels and then hundreds of feet up the mountain side, and ever rising higher and higher, the snow-covered mountains dotted with working mines and abandoned prospect holes. While away to the south and west, some sixty-five miles, stands the pure, white, eternally snow capped Sangre de Christo range sharp and clear against the blue azure of the sky, a glorious monument to the vast and mighty beauty of the handiwork of God.

Bennett avenue, Cripple Creek.

The ore producing area of the district embraces approximately thirty square miles, with a population of 50,000 people.

Following is a brief summary of the largest producers in the district located in Victor:

The famous Gold Coin mine was discovered while excavating a foundation for a hotel. What is true of the Gold Coin is true of the district, and a few words in reference to this great mine might prove of interest. In '95, the Woods Bros. secured a bond and lease on a portion of the Gold Coin claim for the sum of $50,000. They offered the stock to the public at five cents per share and found few takers. At an early stage in the development of the property, rich ore was encountered and the Gold Coin started on an upward career, which did not terminate until the price reached the sum of $6.50 per share. The mine is a steady dividend-payer. The character of the Coin ore is a granite quartz, between granite walls. The mine has attained a depth of over one thousand feet, and the average value of the ore has increased. The Gold Coin has produced a total of $6,000,000 in about eight years, and in addition to paying for the most expensive development and equipment, which includes a very large chlorination plant, has distributed $1,500,000 in dividends to its stockholders. The Gold Coin is located right in the heart of Victor.

Gold Coin Mine in the Heart of Victor.

The following from the Mining Reporter of Oct. 15, 1903, and the Victor Daily Record of Nov. 1, 1903, show most clearly the future prospects of this mine:

One of the best discoveries ever made in this property is reported, the find being made in a winze sunk from the ninth level while driving a crosscut from the Coin to the parallel vein. An 8-foot body of material, all of which is shipping ore, is disclosed between the two veins. Samples taken from the ore body show values of from $35 to $140 per ton in gold. A very rich streak of ore has also just been encountered in the Coin vein. With the aid of pumps the drainage tunnel is lowering the water from the property, and it is expected to open still larger ore bodies when the company is in position to explore the lower workings more fully.—Mining Reporter Oct. 15.

It is announced from the best of authority that a large vein of ore has been discovered between the 400 and 500-foot levels. It is stated that the vein has been developed ninety feet in length and fifty in height and that the value runs from one to six ounces. The management is driving for this vein from the 500-foot level at the present time and as soon as it is found there they propose to go to the 600-foot level and endeavor to open it from that point. The vein runs parallel to and east of the Gold Coin vein.

The old ore chute was opened between the 900 and 1,000 levels about three weeks ago and is widening with development. The average yield in the mine is much better than it has been for some time. The shipments are averaging from $40 to $50 to the ton.—Victor Daily Record, Nov. 1.

THE AJAX.

The Ajax Gold Mining company, E. A. Colburn, president and general manager, which bounds Victor partly on the north, is worthy of mention. This mine has a modern and up-to-date assay and chemical laboratory where all the mine assaying and chemical work has been performed the past year, proving to be more satisfactory than having the work done elsewhere. This company has a machine shop of which it is very proud. Everything except casting can be done there, which does away with the inconvenience of sending out of the district when any special article is needed.

The equipment of the Ajax company is of the best and there are few mines in the district better fixed for hoisting and compressor facilities. This big mine has been closed for several months, and for what purpose is best told by the following from the Mining Reporter:

"It has been understood for some time that changes in the system of handling the Ajax mine were impending, and the announcement that the mine had closed down was no surprise to those who have been at all acquainted with that property. During the past year the Ajax has expanded its acreage and started upon a most expensive scheme of development work. It is now understood that the Ajax will postpone some of its projected dead work, and after an expert examination of the property, the work will be taken up on slightly more conservative lines, though the plan of development outlined will be strictly adhered to. This change is due to the fact that a ton of ore will stand only so much dead work, and the dead work, therefore, can not be done all at once."—Mining Reporter, Oct. 15., 1903.

Ajax Mine, Battle Mountain, near Victor, Colo., Cripple Creek District.

LAST DOLLAR.

The latest developments in the bottom level of the rich Last Dollar mine, on Bull hill, is of such a character that the statement is warranted that the mine contains the richest ore at the greatest depth of any mine in the entire Cripple Creek district. The statement is broad, but it is fully borne out by the conditions, and but goes to prove that as depth is gained the ore bodies of the district will show a permanency and richness remarkable indeed.

The Last Dollar Gold Mining company commenced operations on company account February 1895. A shaft was started at that time, which is down now to the depth of nearly 2,000 feet. The levels extended show a large quantity of ore, some of which is very rich, while all will ship a good, fair grade that nets handsome profits to the company.

In the past two years the company has made many improvements. A new shaft house has been erected, at considerable cost; an ore house, which is the equal of any in the district; a new air compressor, sufficient to furnish air to operate fifteen machines, and many other improvements have been made along these lines, which greatly add to convenience and economy

The Last Dollar company owns a total of eighteen acres of territory on Bull hill, that lays in the pathway of the great northeast by southwest system of veins and dykes that, on Battlemountain, adjoining the property, has produced millions of dollars worth of gold-bearing rock, and yielded over $10,000,000 that has been paid in dividends alone. With such a fact presented, and the ore now in sight, it is but reasonable to suppose that the Last Dollar will yield its proportion of profit to the stockholders, in comparison to the other mines of the district.

With the record of being the richest ore producer at the greatest depth at present, there is no telling what the future may bring.

Carl Eilers is the manager of the Last Dollar company, while Charles Walden is the superintendent, who looks after the active development of the property, to whom is due the credit of developing it into a bonanza producer.

WILD HORSE.

The Wild Horse is located on Bull hill very near Altman, the highest incorporated town in the United States. This mine is one of about twenty-five controled by the Woods' Investment company, owners of the great Gold Coin, located in Victor.

The very best test of the courage and faith of the men forming the great Woods' Investment company, was when the Wild Horse was offered to them. The claim is 1,480 feet long. At one end it is fifty-three feet wide, while at the other it is seventy-three feet.

At the time it was bought by the company, there was but a limited amount of shallow development and only low grade ore in sight. The vein formation and indications were sufficiently encouraging, however, to warrant the belief that further development would bring substantial results. The purchase, by the Woods Investment company, was therefore made at a total cost of about $14,000.00 and has added to the list of dividend payers of what is now the United Gold Mines, one of the greatest gold producers in the Cripple Creek district.

About a year and a half ago the Woods company merged a number of the mines promoted by them into a great consolidation, with a capitalization of $5,000,000.00, divided into 5,000,000.00 shares of $1.00 each. The consolidation formed greatly reduced the expense of handling them and the stockholders are thereby benefitted. The companies thus consolidated were: The Wild Horse, The United Mines Transportation, Columbine Gold Mining, Columbine-Victor Deep M. and T., Battle Mountain Consolidated G. M., the Consolidated Gold Mines, the Bull Hill Consolidated Mining, the

Damon Gold Mining, the New Zealand Mining, the Trachyte Gold Mining and Milling and the Bonanza Queen Gold Mining companies.

VINDICATOR.

Upon the slopes of Bull hill, the activity upon the Hull City placer caused a town to spring up, which received the name of Independence. As time elapsed the town grew in the direction of Goldfield, until it was thought best to consolidate the two. And here the Vindicator is located, right in the heart of unionism. There is no section in the district more loyal to the unions than the set of men on and around Bull hill.

The Vindicator is one of the many large mines of the district. The development for the year of 1902 and 1903 has been of the most satisfactory character and the future outlook is all that could be asked by the most sanguine. During the past two years several entirely new veins have been opened and proven to contain ore shoots, which are all high grade.

During 1902 the Vindicator company paid to the stockholders of the company a total of twenty-three cents per share, amounting to $253,000. The present year, 1903, has been one of the most prosperous for the company, but I am unable to give the exact figures of dividends declared, etc. But the record for 1902 was a splendid one and from those figures the reader may judge the present and future of the Vindicator. In 1902 there was broken, hoisted and shipped a total of 17,747.631 tons of ore. From that great mass of ore the smelters extracted a total of $731,816.20 of gold.

The estate of the company comprises about twenty-eight acres of territory, and that great ore-bearing veins and dykes cross it from all directions, which yield considerable ore, is best evidenced by the dividends that are sent quarterly to the various stockholders.

STRONG.

The Strong mine is located just on the northeast boundary of Victor. It is one of the most remarkable mines in the district, and mainly for the fact that its enormous production has been mined from one vein; it being the only property known to have but one producing vein.

The Strong mine is situated in the granite, a portion of the country that the experts said, in the early days, would not yield pay ore. When Messrs. Lennox and Giddings started operations, many tried to induce them to abandon the work, claiming that to operate the mine in granite could only result in failure and a great financial loss. But they went ahead and persevered and the result has been the opening of a mine that has disbursed dividends to the amount of close to a million dollars. The company has been paying dividends regular since 1895.

The ore zone is confined to one vein that has varied in width from one foot up to forty feet. The grade of ore being uniform throughout. The development of the property has always been kept ahead of the production, and from the present showing there is sufficient ore in sight to maintain the present production for over ten years.

The Strong is a close corporation, owned by four people—William Lennox, E. W. Gidding, Judge E. A. Colburn and Senator N. B. Scott, of West Virginia. The company was organized in 1892. A bond and lease, calling for a payment of $60,000.00, was taken on the mine. For a year after operations were started, the expense proved to be a continual drain on the owners, but with an abiding faith that it would ultimately prove to be a great producer, they continued. After a year's operations ore was encountered, and the further development paid for itself. A year later the bond was taken up.

Strong Mine, Victor, Colo., Cripple Creek District.

The Strong mine is an example of what can be found in the granite, and the owners, in not heeding the advice of would-be friends, benefitted the camp, and proved that experts, who were so ready to condemn the granite, can see no farther in the ground than the ordinary man.

ELKTON CONSOLIDATED MINING AND MILLING COMPANY.

ELKTON CONSOLIDATED MINING AND MILLING COMPANY.

The Elkton Consolidated Mining and Milling company is located about mid-way between Cripple Creek and Victor, on the Low Line electric. Around the mine has sprung the little town of Elkton. But the village has no municipal organization, its population being made up principally of miners employed at the big Elkton mine.

At the present time, the Elkton company is pushing development as fast as is consistent with the resources of the company. It is not the intention of the management to in any way obligate the company, to push the development.

This company has many good lessees operating on various parts of the big estate, and the royalties received from their ore sales each month averages near $3,000.00. That, together with the proceeds of the company's ore, gives the company a sufficient sum of money with which to push development steadily.

The Elkton company is managed by an executive board, each member of which is a very large stockholder in the company. The following gentlemen compose the management: E. M. De la Vergne, Sherwood Aldrich, Dr. J. W. Graham and George Bernard. All the gentlemen are well known and up-to-date mining men. The mine has been thoroughly satisfactory in the past and has a bright outlook for the future.

GOLD SOVEREIGN.

Since the Gold Sovereign Mining and Leasing company adopted the leasing system considerable work has been performed on its Bull hill estate and there is hardly a foot of ground belonging to the company that is not under actual development.

The leasing system, in the case of the Gold Sovereign, is proving advantageous to the company, for the net profit, which is in royalties, amounts to about $250.00 per month, which is being added to the company's, already fair treasury, now amounting to about $14,000.00.

The company owns six acres of territory. This year the lessees have been producing ore from four shafts and they all pay a flat royalty of twenty-five per cent on all ore shipped. They have been averaging about one hundred tons of ore a month, that will bring about $20.00 per ton, which makes a fair monthly output from the mine.

The estate of the Gold Sovereign company is situated on the southeast slope of Bull hill and is right among a number of mines that has produced a large tonnage of ore.

A. E. Carlton is president and treasurer; E. A. Newcomb vice president, Walter Peck, secretary and general manager of the company.

In Nov. 1903, there were only three sets of lessees operating on the Gold Sovereign. All were in ore and were making weekly shipments. The ore varied in value from one to three ounces. The Gold Temple Gold Mining company which is operating a lease on the property, is sending out 200 tons per month and the grade is very satisfactory.

EL PASO CONSOLIDATED GOLD MINING CO.

The Record made by the El Paso Consolidated Gold Mining company for 1902 was a remarkable one, and well may the officers be proud of their acheivement, from a financial point of view, while the stockholders are certainly to be congratulated for the showing their officers have made. During the past two years a vast amount of money has been expended in improvements on this mine. In 1902 the new equipment installed on the property alone cost $104,000. And this year, 1903, has been a banner year in its history for improvements. Not one penny has been drawn from the treasury to pay for the equipment, and besides buying other property and paying all operating expenses, it has all been paid from ore taken from the ground of the company.

The El Paso company owns close to seven acres of territory and already there has been proven and determined eight veins, five of which contain ore yielding splendid values.

The El Paso Consolidated company is capitalized for $2,500,000, divided into 2,500,000 shares, each having a par value of $1.00.

The company's estate is located on Beacon hill and the ore bodies revealed as depth is gained are remarkable. The officers of the El Paso are: S. S. Bernard, president; H. H. Barbee, vice president and J. M. Jordan, secretary and treasurer. William M. Bainbridge is superintendent and has charge of the actual development of the mine.

President Bernard said August 2, 1903, referring to production: "The mine produced between 1,100 and 1,200 tons of ore in July, the grade running up pretty well, so that the gross value was $50,000. The ore came above the water level."

Mr. Bernard said that his company would not be in any haste to increase its production, although it is planned in a few months, to push it up to $75,000 a month, and this can be done under the scheme of development work in view, without drawing on the ore reserves to any appreciable degree. "There are vast horizons of ore now hid away by the water, which will be rendered available as soon as the new drainage tunnel gets to working, which will be as stated, within a fortnight. And in that respect, the El Paso is more fortunately situated than any other mine in the district which has a water problem to contend with."

THE EL PASO TUNNEL.

The El Paso Drainage tunnel is at last an accomplished fact. About September 2, the final shot was put in which connected the two headings and opened the tunnel from end to end.

After more than seven months of incessant labor this bore was finally completed and the mines of the entire east end of the district are now relieved of their accumulation of water.

The inception and driving of the tunnel is one of the most interesting bits of history of the district. For a number of years there has been a large flow of water in a great many mines, especially on Beacon hill, with growing depth. The problem became a more expensive and complicated one, and it was finally decided to call for expert advice. The mine owners consulted Prof. Mudd of Leadville and also took into consultation Mr. Bainbridge, the superintendent of the El Paso company. Mr. Bainbridge insisted that a drainage tunnel was the only solution of the difficulty, and declared if the mines were not unwatered they would have to be abandoned.

A company was formed to co-operate in the matter and the following sums were subscribed to complete the bore:

Frank F. Castello, for the Mary McKinney company, $15,000.
J. Arthur Connell, for the Work M. & M. company, $1,500.
J. R. McKinnie, for the Moon Anchor company, $1,500.
F. J. Campbell, for the Anaconda company, $4,000.
Irving Howbert, for the Anchora-Leland company, $2,500.
Sherwood Aldrich, for the Elkton Gold Mining company, $15,000.
Horace Granfield, for the C. K. & N. company, $3,500.
Sam S. Bernard, for the El Paso company, $25,000.
Frank G. Peck, for the Midget, $1,500.
A. E. Carlton, for the Doctor Jack-Pot company, $5,000.

The tunnel has proved, since completed, to be more successful than even the most enthusiastic ever thought it would be. Filling the bill for which it was intended to perfection.

In speaking of mines, famous for the amount of ore produced, we must not forget to mention the famous Coates prospect hole known as the St. Patrick. Famous because of the fact that there has been nearly a million dollars expended in prospecting in this mine and not one ounce of ore as yet received in return. The St. Patrick was started about April, 1899. It is owned at present by the St. Patrick Gold Mining Syndicate, of Scotland. The shaft is 700 feet deep, with 3,500 feet of lateral work. The mine runs regularly with a day and a night shift of eighteen men.

ST. PATRICKS MINE, LOCATED IN THE RESIDENCE PORTION OF THE CITY OF VICTOR.

This property has been almost totally destroyed by fire three times, but would at once repair all damage or rebuild shaft house and soon be at work again. If perseverance will make a succes of an undertaking this mine will yet strike it rich. The St. Patrick is located in the southwestern part of Victor, four blocks from the postoffice.

The late W. S. Stratton, who passed away in 1902, came to Colorado in the summer of 1872, and was considered a poor man. He was possessed of an ambition to become a lawyer, and this one thing more than any other induced him to come to Colorado, where he hoped to make quickly enough money at mining to study law. His father could not afford to give him a college education, but when the youth decided to start out to seek his fortune his father gave him $500. Young Stratton had been apprenticed to a carpenter and was well equipped for making his way with the capital he possessed. He came to Colorado Springs in 1872 and soon after his arrival he went out and dug in the hills, not far from the city.

Thus so early began the years of prospecting and study of the formations of the rocks which finally resulted, in 1891, at Victor, Cripple Creek district, so successfully. He spent the days working at his trade and at night studied the intricacies of mining. He devoted nineteen years to the toil of prospecting in the hills from one range to another, persevering with almost superhuman endurance. On July 4, 1891, Mr. Stratton located two mining claims, and in honor of the day he named one the Independence and the other Washington.

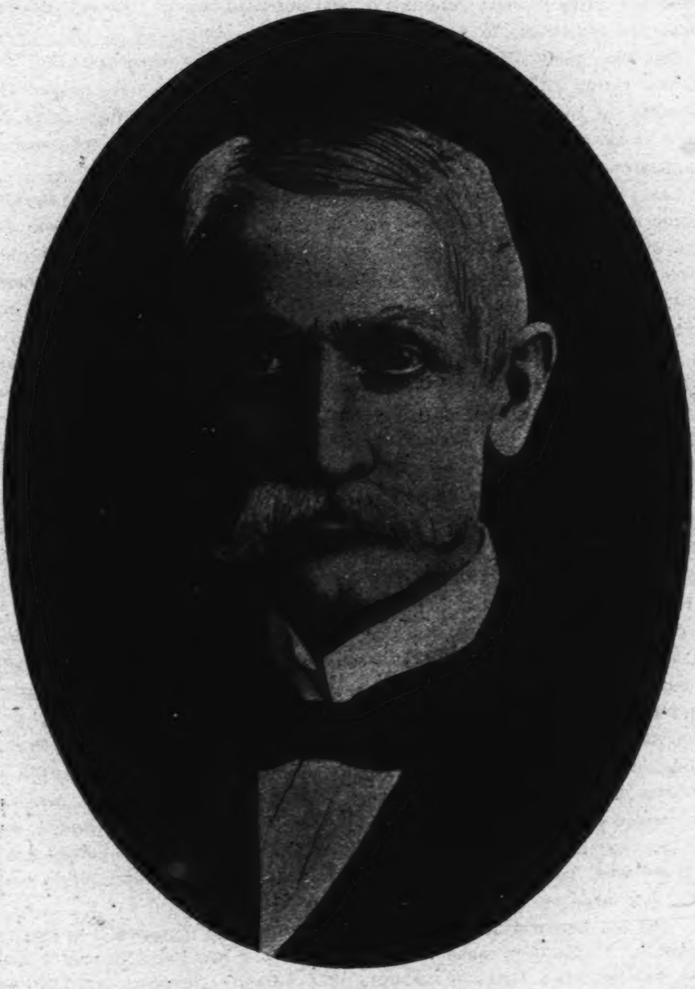
Just a word more about the discoverer of the great Independence, and then I will tell you something of the mine itself.

The late Winfield Scott Stratton was a quiet, taciturn, self-contained man of the simplest manners. He vied with Diogenes in the ability to reduce his wants as the occasion of health and fortune required. His manner was plain, straightforward and unaffected. He was a man whom success and riches did not alter, either in modes of life or disposition. In his days of prosperity he never forgot any of his friends of his toiling, suffering days, and remembered them substantially. It was truly said of him that he was absolutely devoid of vanity, perhaps the rarest trait known to human kind.

W. S. Stratton came to Colorado in 1872 a poor youth with $500 and a prospector's pick and passed away in 1902 a multimillionaire.

STRATTON'S INDEPENDENCE.

Stratton's Independence is known everywhere. It has proved to be a phenomenal mine in a phenomenal camp. Some time ago it was gener-



THE LATE W. S. STRATTON.

ally reported as played out. The real fact of the situation was that the mine was "gouged" in order to pay enormous monthly dividends, without a proportionate amount of development work. Recent developments are gratifying to a high degree.

Stratton, early in the camp's history, made the assertion that any patented claim within the mineral belt was worth $25,000. He backed that statement by purchasing over $4,000,000 worth of unproducing inside territory at an average value of over $40,000 per claim. With development, it appears as if a mine can be opened up anywhere.

Last fall, 1902, the celebrated mine manager, Mr. Thomas Cornish, became manager of the Independence mine. It was a colossal problem that faced Mr. Cornish, but he met it, and the condition of the property today proves his inestimable value as a resourceful and practical mine manager.

At the beginning of this year, 1903, the daily output of the mine was 260 tons of ore.

This property was purchased by the Venture corporation and Stratton's Limited of London for the enormous sum of $10,000,000, and because of its failure to produce that amount to date it has been involved in numerous litigations and controversies. Investigation is said to have commenced nearly two years ago upon information laid before the officers of the two companies in London, that the Stratton Independence mine was salted prior to its acquisition by the Stratton's Independence, Limited. Investigation as to the standing of the informants disclosed the fact that they did not have the information in question at first hand, and otherwise were of such standing that their representations were ignored.

Afterwards, when Mr. Baker, the chairman of the Venture corporation, and Mr. John Hays Hammond, the consulting engineer of Stratton's Independence, Limited, were in Colorado, they were furnished with similar information which could not be ignored, as to the "salting" of the mine.

Acting upon this later information the firm of Messrs Thomas, Bryant & Lee, attorneys, Denver, was employed to investigate the matter to determine whether or not there were good grounds for action. Mr. Lee took charge of the matter and worked on it for some months, finally succeeding in getting two affidavits and other information to the effect that the mine was "salted," and, in other ways, its value misrepresented prior to its purchase by Stratton's Independence, Limited.

The old bonanza has had a stormy career since it passed into English ownership. It has been made the subject of stock manipulation on a scale which has seriously hurt the industry of Colorado's foremost camp; it has been experted and denounced frequently, in a manner which has appeared ridiculous to onlookers and despite the frequent assertions that it had "played out," the old mine is still doing business at the old stand.

The Celebrated Portland and Independence Mines Near Victor, Colo., Cripple Creek District.

The Great Portland.

In January, 1892, the first stake was set, claiming the Portland claim. The locator had no idea then that the day would soon come when all the surrounding property would be owned, and the claim would be part of the most gigantic mining corporation in the state of Colorado, if not in the United States.

The original location of the Portland company, which was the Portland claim, consisted of one-tenth of an acre and the Bobtail No. 2, the total of the two being less than three acres of ground.

After the location of the property, James F. Burns, John Harnan and James Doyle commenced operations on it, and in January of 1893 they made their first shipment of ore, which consisted of thirty-two sacks, to Pueblo. For this ore they received $640.00 a ton in gold. The first ore was obtained while sinking the shaft from the surface to the depth of thirty-five feet.

Just a year after the first shipment was made, the owners gave an option on the property to T. J. Condon and Walter F. Crosby, who, a month later, in February, 1894, organized the Portland company. It was capitalized for $3,000,000, divided into 3,000,000 shares, of a par value of $1.00 each. The purchase price of the property was $250,000.00. The sum of $15,000.00 was made as the first payment, which meant $5,000.00 to each of the owners. They failed to meet the second payment when it became due, however, then Messrs. Burns, Harran and Doyle took charge of the company. A special meeting was called, at which the resignation of old officers and board of directors were accepted, and new officers elected, James F. Burns being elected president and treasurer; the late W. S. Stratton vice president and F. J. Peck secretary.

The Portland has had litigation after litigation to contend with. But in a very short time after the company was organized, they paid out, besides the amount expended in litigation, acquiring more property the sum of $2,000,000. All of which they took from the ground during the course of development.

The Portland, as time went on bought property after property, and at the end of five years from the time the first stake of the original claim of less than three acres was staked as the Portland, the company owned close to two hundred acres of rich territory. Every penny paid for the additional property being realized from the sale of ore taken out of the ground, not to mention the fortunes that had to be spent during the first five years in litigation.

The Portland company has the distinction of never having sold one share

THE GREAT PORTLAND

of treasury stock for the purpose of acquiring money for development. From the first time that ore was encountered they commenced to mine, and as development proceeded, more ore was opened, and the prospects of the mine looked better every day.

The great Portland of today stands the best developed mine in the state. Above the 1,100-foot level there are twenty-five miles of workings, which have exposed fifty ore-bearing veins. At the beginning of 1903, only twenty of the veins were being worked. Development has always been pushed and today development is being pushed steadily in other veins, and ore is being blocked out in an astonishing manner.

This company has the finest equipment in the state. Three shafts furnish the exit for the great tonnage of ore. Big improvements have been made this year in shaft No. 2, and many other improvements have been made for the more economical handling of ore.

The Portland up to Jan. 1, 1903, had paid the enormous sum of $4,297,080.00 in dividends to the stockholders, which will be an insignificant amount compared to the figures that will be shown a few years hence. The Mining Reporter of Oct. 15, 1903, reported a three cent dividend by the Portland, making a total of $4,500,000 that has been declared by the company within ten years on a capitalization of $3,000,000.

From the present standpoint of development, with the ore in sight above the 1,100-foot level, a production of 10,000 tons a month can be maintained for the next ten years. Such enormous tonnage can be made simply from the ore in sight, and without any further development. That tonnage of ore means that there is in sight, above the 1,100-foot level, the enormous sum of $36,000,000.00.

At the beginning of this year, 1903, the Portland company had hoisted 400,000 tons of ore, that had yielded in gold the sum of $17,000,000.00.

The past is a sufficient guarantee for the future. In ten years there has been produced $17,000,000.00 worth of gold bearing ore, and there remains in the mine blocked out, more than as much more.

The Portland is now said to be producing 300 tons of ore daily, all of which is treated at the company's mill at Colorado City. Ore is being broken in the different levels from the 1,000-foot point to the surface. A force of 530 men is now employed. It is stated the company's plant near Colorado City is soon to be doubled in capacity and that the company contemplates purchasing additional territory.

The mill owned by the Portland for the treatment of the company's ore is one of the finest, best appointed and most scientifically constructed chlorination plants in the world. The cost of this institution, which is the consummation of technical skill and energy, was much more than $500,000.

The actual management and development of the great bonanza has always been in the charge of James F. Burns. He was the first president and holds that position today. To him is due the credit for making the company what it is today. He has always made it a rule to make all improvements that would lessen the cost of mining and improve the convenience and safety of the men employed.

Among the distinguishing traits of Mr. Burns' character, not the least predominant and praiseworthy is his philanthropy. The magnanimity with which he conducts his relations with the laboring man has been the occasion of most favorable comment wherever his generous acts are known. Not of the sentimental sort is the liberality of the great mine owner. Not an instant will he tolerate imposition. He demands of his employes both skillful and conscientious work, and rewards that work in the measure of its merit. Opportunity is the tool of genius and the career of James F. Burns has been its demonstration. Many, perhaps, feel that, had the opportunity been presented to them, they too could have improved it to as good advantage as Mr. Burns. Possibly they could, had they his genius; but their number is not many. Thousands have considered themselves equal to the task, and in the face of opportunity have proved a pitible failure. The Portland will enjoy its present repute so long as the direction of the company's affairs are in the present able and honorable hands.

Mr. James F. Burns is looked upon as a hero in the Cripple Creek district, especially by the unions, on account of the stand taken by him in all labor troubles that have as yet confronted the miners of the district. Of his attitude toward organized labor, I will deal more fully in the "strike of 1903."

Mr. Burns, in his annual report as president of the Portland company, February, 1903, paid the following tribute to the memory of the late W. S. Stratton:

"I desire to pay a brief tribute to the memory of the late Winfield Scott Stratton, who was a member of the Directorate from the time of its organization, up to the time of his death, and whose personality was always a part of the Portland.

"His faith in the Cripple Creek district, and more especially Battle mountain, was absolute. His perseverance in that section opened one of the great gold mines of the world—the Independence, while his confidence in the Portland was such that he often expressed a desire to possess control and always steadfastly refused to part with any of his holdings, believing they would some day be worth several times their present value. He had become one of the most extensive prospectors Colorado has ever known and by his demise the mining world has sustained a loss that will long be felt.

"In common with the people of the Cripple Creek district, the mining world, and the state at large, we mourn the loss of this eminent mining man and illustrious citizen."

With two such men connected with one company, as the late W. S. Stratton was, and James F. Burns as president and general manager, the Portland could not be less than it is today—the greatest in beauty, the best managed, the largest dividend payer, and last but greatest of all, the management is ever ready to assist and advance the cause of the union miner.

The Cripple Creek district is dotted everywhere with other mines of more or less note, but I cannot undertake the task of giving all the mines in the district. My book's mission is to give the labor troubles of the camp, and the mines given in detail, were only intended to give the outside public some idea of one of the greatest gold camps in the world—the Cripple Creek district, Teller county, Colorado.

Following is a few of the mines that has not been mentioned, located in the district Modoc, Isabella, Independence T. & M. Co., Golden Cycle, Gold King, Mary McKinney, Findley, Theresa, Anaconda, Mary Cashen, owned by a Kansas corporation, and many others.

The Cripple Creek district is a $3.00-a-day camp. That is no one receives less than $3.00 a day for eight hours work. Many receives more, making the average wage per day paid for labor amount to $3.44.

The pay roll for the entire district each month, in normal conditions, amounts to $652,189.41. This pay roll does not include the salaries of the managers and superintendents. Their salaries alone amounts to many thousand dollars each month. The total number of men employed in mines in the district Jan. 1, 1903, was near 6,270. This number included coal haulers, ore haulers, power plants, mills, sampling works, timber haulers, assayers and helpers, mining supply men, lumber supply men, etc.

The employes of the camp believe in patronizing home industry, and for that reason very little of the $652,189.41 paid each month to them goes beyond the limits of the district. With such conditions existing, it is readily seen that the merchants enjoy a good trade.

In the latest mining report of the United States, the Cripple Creek district takes the lead ahead of any camp in the United States.

CITY OF VICTOR.

VICTOR, THE CITY OF MINES.

The following applies to the entire district as well as Victor:

Where the massive granite boulders rear their heads to sunkissed heights,
Where the eager mountain tourists view nature's grandest sights,
Where the summer's sun and winter's snow mingle the whole year round,
Where the gold in nature's treasure vaults, by the delving miners found,
There is the city of Victor, The city of the mines.

Where progress is our motto and prosperity our lot
Where our spirits never daunted are, and failure we know not
Where the people of all nations are as one in enterprise,
Where as evidence of industry, lowering smokestacks pierce the skies,
There is the city of Victor, The city of the mines.

Where a host of sturdy miners wrench the gold from nature's grasp,
Where the hand of any stranger always meets with friendly clasp.
Where the people work together, all as one in firm accord,
Where the laborer for his labor gets his full and just reward,
There is the city of Victor, The city of the mines.

Where the bells of Sabbath morning call the faithful to the fold,
Where the charity of the people shield the helpless from the cold,
Where the young and old together, the Almighty's praises sing.
Where with song and music always, mountain crags and canons ring,
There is the city of Victor, The city of the mines.

Where we do not curse the country every time a thing goes wrong.
Where we do not get discouraged, to that class we don't belong.
Where in future we will prosper as we've prospered in the past,
Where a strike our heads don't worry, for it will not always last,
There is the city of Victor, The city of the mines.

The Strike of 1894.

It is little less than a dozen years since the dead multi-millionaire, W. S. Stratton, was tramping the desolate, barren hills of the Cripple Creek district, in search of the great Independence mine, which was to form the nucleus of a still greater mining camp. And yet within this short space of time, so stirring have been the scenes enacted within the borders of this district and so determined and constant the struggle for the equalization of power between capital and labor; that twice the military forces of the state of Colorado have invaded the district. They were ordered out in 1894 by Governor Waite to protect the union working men and again ordered out in 1903 to disrupt the union of these same working men by Governor Peabody. I want to give the '94 strike a few pages, in order to compare the action taken in the two controversies by the chief executives of the state of Colorado.

In the very infancy of the camp, the mine owner capitalist attempted to over-throw the established wage for the miner of $3.00 for an eight hour day. But he reckoned without his host.

The metalliferous miner of the West is a very different man from the Italian and Hungarian that use to be employed in the eastern coal mines. The most of them are American born. Those who have emigrated came from Germany, Sweden and Ireland. Many had been among those sturdy pioneers, who blazed away and made it possible to speak of the wilderness beyond the Rocky Mountains as "The Great West." Such men are not easily subdued.

Although a large per cent of the men were union miners, no particularly active work had been done at this time, 1894, in the way of organizing by the Western Federation of Miners. But when a common danger threatened alike the union and non-union miner, the membership of the federation grew by leaps and bounds. A most determined stand was taken which culuminated in the strike of '94.

A threat was made by the mine owners to import cheap labor to take the places of the striking miners and the threat backed up by sending into the district 1,200 deputy sheriffs from the county seat, then Colorado Springs.

A fort was established on Bull hill, a well nigh impregnable point, in the very center of the mining camp. The striking miners, who, by some mysterious process were well armed, entrenched themselves behind the fort. Then followed a series of the most startling and dramatic events ever known in the history of labor and capitalistic controversies. Riot reigned supreme.

The 1,200 deputies, who were sent into the district, at that time, to enforce the will of the mine owners, made themselves so intolerable to the citizens generally, by methods pursued by them in trying to suppress the Western Federation of Miners, that Gov. Waite was petitioned to intercede. He did so, at once, walking from the terminus of the D. of R. G. railroad, (which at that time was being constructed, but did not reach the city of Victor by several miles.) through a deep snow, in the night to interview personally the strikers barricaded in the fort on the crest of Bull hill.

Take note of the fact that he did not send a "commission to investigate," but came himself, and walked a long distance in the snow. He, too, arrived at night but did not leave before day and consulted the strikers first, and others later. This is well to remember.

Governor Waite was received with the greatest enthusiasm. He addressed the assembled miners in no uncertain terms. He exacted a personal promise, which was given willingly and fulfilled faithfully, that the law should be respected. "And I," said he, "will see that your rights are respected also, if it takes every soldier in the state of Colorado to do it." His address to the miners on that memorable occasion is treasured in the heart of every Cripple Creek miner today for its justice and sound advice, though it bristled at times with stern reproof and the assurance of speedy punishment, for every lawless act, regardless of provocation.

On the governor's return to Denver troops were sent into the district, not to assist the deputies in their acts of oppression, but to restore law and order. It is needless to say this was promptly accomplished. In a very short time the militia had restored order and ended in a satisfactory manner the strike of '94. Governor Waite occupies the unique position in history of being the only governor in the United States who ever ordered out state troops to protect the rights of the working man against his oppressor.

Though the mine owners insisted at that time with unlimited vigor, and upon the governor's head visited bitter maledictions, Governor Waite's power of penetration and the wisdom of his act has been proven in the fact that for nine, long, prosperous years the Cripple Creek district has been a $3.00, eight-hour camp. The mine owner has enjoyed every luxury.

The miner, who risks his life in the bowels of the earth for the precious metal, that procures these luxuries, has enjoyed a comfortable and happy home for himself and family.

Meanwhile the Western Federation grew in members and power and at the time of this writing, 1903, it embraces between 150,000 to 200,000 with a substantial treasury. It has spread its organization over the states and territories of Utah, California, Nevada, Idaho, Colorado, Arizona, New Mexico and British Columbia. In the Cripple Creek district alone its membership has grown from several hundred to numbers between 3,500 and 5,000 miners. I wish to say here that too much credit cannot be given Mr. John Calderwood, who was at that time president of Altman Union No. 19. He used his influence for the betterment of the condition of the men; was at all times cool, conscientious and honest. He urged the miners to remain in the district until a settlement could be brought about. He exerted a great influence over the members of the unions along those lines. To him was largely due the great increase in membership at that time.

Not only has the Western Federation's strength grown in its own ranks, but it has fostered, encouraged and assisted, as an elder brother, all other trades and laborers to organize, till there is scarcely a craft in the district that has not its flourishing union.

The local branches of the Western Federation of Miners are located in different towns of the district, each owning its own hall. The two largest unons, located at Cripple Creek and Victor, have established public libraries and reading rooms to which the public, as well as its members are welcome. Each union has a sick benefit fund and buries their members in case of death.

Not only has the miner representatives in their own state Federation, but in the District Trades and Labor Assembly. This local, central body, composed of delegates from every union in the district, meets once a week, arbitrating, adjusting and deciding all questions pertaining to the general welfare of all. Thus they are practcally affiliated with all other unions. The Trades Assembly is a power, may well be added.

Naturally the corporations have viewed with considerable alarm the growing intelligence and executive ability displayed by the workmen in their employ, and they began sometime ago to quietly make plans for combatting that which might eventually be inimical to their interests.

Since the strike of '94, some two or three years ago, there was formed by the mine owners, a trust, which included every big producer in the district, with the great Portland as a notable exception. This trust become known as the Mine Owner's Association. It was the supposition that the ostensible purpose of the Mine Owners Association was the subjugation of the Mill and Smeltermen's trusts, which, it was claimed, were most unfair and exorbitant in their prices for the treatment of ore. But they have shown that they organized for other purposes than we at first thought. I will deal more fully with the Mine Owners Association in the strike of 1903.

The following contribution on conditions of labor in the Cripple Creek district from its inception until up to and after the strike of '94, explains the situation at that time more fully than I have been able to do:

"By request of the writer to write something of my experience during the labor troubles of '94, I submit the following article:

"During the early period of labor in the Cripple Creek district no attention was given to the number of hours employers of labor demanded their men should work; or, in fact, the amount of wages paid the men. Although, with few exceptions, the miners were paid at the rate of $3.00 per day. Outside men received $2.50, $2.75 and $3.00 per day, according to the character of labor performed and the hours they were required to work. In the fall of 1893 a communication was received by Alexander McIntosh, of Aspen, who was at that time the duly elected organizer of the Western Federation of Miners for the state of Colorado, to institute a union in Altman, that being the strongest point in the district.

"Mr. McIntosh immediately began corresponding with the men at Altman who were taking the lead in forming a union with the result that a union comprising about three hundred miners was instituted in the fall of 1893. Mr. McIntosh returning to Aspen shortly afterward, appointed myself his deputy with instructions to organize the remainder of the district. I at once threw my whole force and energy into the work of thoroughly organizing the miners of the district, with the result that in less than sixty days I had instituted unions in Cripple Creek, Anaconda and Victor, at least sixty-five per cent of all the men employed in the district being members in some of the different unions. This achievement, in so thoroughly unionizing the laboring men of so large a district was rewarded by an urgent request for me to become president of Altman union No. 19. I did so. Although four unions had been organized in the district, only one charter had as yet been granted by the Western Federation, that to Altman No. 19. Each of the other unions elected a full set of officers with the exception of president, working under the Altman charter, the president of that union presiding over the remaining unions in the district. The conditions which had allowed men to make their own agreement with the employers as to hours and wages, soon began to make itself felt. The owners of mines which were working eight hours a day claimed their money was as good as that of the other mine owners, and that unless the men compelled the other employers to work their men only eight hours they would likewise demand ten hours from their men.

"This argument was reasonable on the part of the mine owners who were receiving only eight hours from the employes while others were receiving ten hours for the same wages. The men at the head of the unions were quick to comprehend that such conditions could not stand without a struggle for only a short time. Committees were appointed to wait on the owners and managers of mines working their men nine and ten hours a day to induce them to adopt an eight-hour day; but these committees in each instance met with a refusal to comply with the proposition, in effect, or received an evasive answer that they would present the proposition to the directors of their companies.

"The strained relations existing between the mine owners and miners employed on mines working eight hours soon came to a crisis, for on January 17, 1894, the owners of the mines working their men only eight hours per day posted a notice in effect that all men who desired to work for that company on and after February 1, 1894, would be required to work ten hours for $3.00; or, if the men preferred, $2.50 would be paid for eight hours work. A similar notice was posted a few days later on the Zenobia and Buena Vista mines, owned principally by J. J. Hagerman, and both working eight hours for a shift, the men receiving $3.00 per day. Thus the clouds were fast darkening the horizon of the industrial world for the miners of the district. A battle was imminent. The unions had but recently been organized and were still in their infancy, with no money in their treasuries. Several attempts were made by the unions, with the aid of the business men, to bring about a conference between the mine owners and the unions, but without success.

"Finally, on February 1, 1894, a general strike was declared, and, with the exception of the Victor mines, the men responded to the call to a man. The men working on the Victor mines, however, fell in line with their brothers three days later. The number of miners working in the entire district, when the strike was ordered, would not exceed twelve to thirteen hundred. About eight hundred were members of the different unions and about one-half of all the men employed were, up to February 1, working eight hours and receiving $3.00 per day; the other half working nine and ten hours and receiving $3.00 for the same. In thus outlining the early conditions with which the miners had to contend in this district, the writer desires to be fair and treat both sides with impartiality.

"The strike continued from February 1, 1894, until June 10, 1894, a period of five months and ten days, and went down into history as the most bitterly contested strike in this country. But, in order that the reader may more fully understand the true state of affairs as it then existed in the district, it will be necessary to give some idea as to what the miners had to contend with at that time regarding the cost of living. A two-room house, built of rough boards and paper cost $15.00 per month; wood, which was the only fuel to be had, was $4.50 per cord; water, 40 cents per barrel. Provisions had to be hauled by wagons from Canon City or the Divide. Therefore, the cost was nearly one-half more than the present prevailing prices. Clothing was at least 25 per cent higher than at present. Taking into consideration all of the above facts, a man with a family to support was indeed fortunate who could make ends meet. The men, knowing this to be true, banded themselves together as one man and determined to fight for what they considered a right to earn sufficient compensation to properly care for those dependent upon them, and that the 'laborer was worthy of his hire.' How nobly they maintained their position is a matter of history. The mine owners, such men as J. J. Hagerman, D. H. Moffatt, Irving Howbert and others, were rated as millionaires, with unlimited money at their command. The county commissioners of El Paso county, this district being in that county, were very active in showing their interest in behalf of the mine owners; also, the sheriff of the county. Feeling ran high, and for a time it looked as though blood would be shed in abundance; but, luckily for all concerned, there were enough cool, conservative men to hold down the hot heads on both sides to the controversy. Some of the business men in Cripple Creek, petitioned the governor for the militia to be sent at once to the district. Accordingly, Governor Waite ordered out the militia and it arrived on the morning of March 7 in Cripple Creek. The miners, in company with other business men, considered there was no need for the state guards and that it was only increasing an unnecessary expense that would fall upon the tax payers of the state, petitioned the governor to withdraw troops from the district. The governor then ordered a committee to investigate the situation of affairs and report their findings, which it did. After the committee reported Governor Waite ordered the troops home. No serious trouble had been committed by either side. (Only a few soldier fights with no serious results).

"Immediately upon the troops being withdrawn, the sheriff began deputizing men to fight the miners, and he gathered the scum from nearly all the cities in Colorado, but principally ex-policemen from Denver, and numbers were imported from other states and territories. He numbered as his deputies nearly thirteen hundred men. These he placed in the field to intimidate the miners, using nearly three hundred as cavalry under the command of General Adams. The remainder as foot soldiery, equipped with the finest, improved fire-arms, two field pieces and two Gatling guns. All of this war display only tended to cement the union miners more closely together, they determined to meet force with force, if necessary and prepared to that end. In the meantime a number of the smaller mines had conceded the demands of the union for eight-hours and $3.00 per day. The owners of the Portland mine, having leased and bonded several mines, paid the union scale of wages and acquiesed in the demand for eight hours, and kept their mines at work. A number of leasers also commenced operating in favor of the unions. The total number of men working at this time now numbered three hundred. These men were assessed $10.00 per month, this being the only money the striking men had with which to support themselves and families. One of the most remarkable things was that during all the time this strike was in progress not to exceed ten men left the district. I urged at every opportunity the necessity of every man remaining in the district until a final settlement could be made and peace restored. Many conferences were held between the mine owners and the unions, but no settlement could be arrived at, the mine owners giving their ultimatum at one of these consultations that they were willing to pay $3.00 for nine hours work, or $2.75 for eight hours. When the committee made its report to the unions of the proposition of the mine owners they voted unanimously to turn it down. About May 20, while the miners were attending the funeral of a deceased member, a man by the name of Rabideau who had made himself particularly obnoxious to the miners, and one Ferguson, undertook to call a meeting at Anaconda with a view to get a number of the deputies there and pass a resolution and have it published in the press of the state, to the effect that a majority of the men were in favor of accepting the proposition of the mine owners and returning to work but were prevented from so doing by intimidation from the union men. But the members of the union were alert and assembled in large numbers to watch the proceedings. When Rabideau addressed the meeting he was asked the object of calling the same, and, upon stating the purpose, he was handled roughly. Both Ferguson and he were taken to Bull hill, and upon their promising to leave the district for all time, they were released.

"On May 24 the deputy sheriffs were taken via Florence, over the Florence & Cripple Creek railroad to Wilbur, the road being completed to that point. The miners were early apprised of this move on the part of the deputies, and were assembld by the blowing of whistles, this being a signal arranged to assemble the union men in case of danger. A bitter feeling existed at this time between the miners and the deputies, and they were anxious to give them a chance to fight. About one hundred

BULL HILL, SHOWING THE GOLD SOVEREIGN PROPERTY, THIS WAS THE BATTLEFIELD OF THE "WAR OF '94."

miners ordered the railroad to get an engine and cars and take them to Wilbur, where the deputies were located for the night, which the railroad men did. The deputies, upon learning of the action of the miners, commenced moving down toward Florence. However, the miners overtook part of the deputies and a running fight took place with the result next morning that the body of the man Rabideau, who had agreed to leave the district two weeks before, was found with a bullet in his heart; also, one of the Herman Crowley miners was killed. This encounter is known as the 'Battle of Wilbur.'

"The following morning a number of men quietly entered the building of the Strong mine and ordered Sam McDonald, Charles Robinson and Jack Vaughn to come out. They declined to do so and retreated down the shaft. Dynamite was then deliberately placed in the bailer inside the shaft house, and with an electric battery, the same was exploded, demolishing the building together with its valuable machinery. Great interest in the fate of Sam McDonald and the two men with him in the shaft of the destroyed Strong mine was felt, but twenty-six hours after the calamity, voices were heard in an old shaft connected with the main shaft of the mine by a drift, and the imprisoned miners were taken out. After getting washed and something to eat, they were taken to what was known as 'Bull hill stronghold.' Charles Robinson suffered considerably as a result of his terrible experience, but none of the others suffered to any extent. Who was responsible for the destruction of the Strong mine is still a mystery. R. J. Lyons and Nichols Tully were both arrested and convicted for the crime but the general belief among the people was that some one had to pay the penalty, and on account of the feeling against them they were railroaded to the penitentiary. None of them, however, served out their term. The owners of the mine afterward brought suit against Sam Strong for being the instigator of destroying the property himself.

"The war spirit had been aroused, but still there were some left who believed and hoped that a meeting could be arranged and moral suasion prevail for peace. The district had taken on the aspect of a military camp. It was impossible to reach the miners' headquarters without proper credentials. May 21 a committee from Colorado Springs, composed of President Slocum, Rev. E. Evans Carrington, who was a strong sympathizer with the labor movement, and Charles Collais, president of the Trades assembly of Colorado Springs, came to Cripple Creek. Calling up the officers of the union at Altman by telephone, stating they wished to visit Bull hill in hopes of arranging for an arbitration committee. Men were selected to go to Cripple Creek and escort the distinguished guests to

Altman. They made a hurried trip up the hill and were respectfully received. Professor Slocum made an extended address. Rev. Carrington and President Collins also made short speeches which were well received by the men. The following day a mass meeting of miners was called and I informed the men of the request of the mine owners for an arbitration committee. The miners, believing in the justness of their cause, had at all times been ready and willing to submit their cause to a fair and reasonable committee, so they readily consented.

"On the following day Governor Waite left the capitol and came to Altman to make a personal investigation of the situation for himself. This was a most unusual undertaking, but Governor Waite was an exceptional governor, entirely fearless in the performance of what he believed to be his duty—not to one class of citizens in the state, but to all, whether rich or poor, alike. A meeting was arranged for him to take place in the school house at Altman, the door being thrown open so all could listen to his remarks. At the conclusion of his speech a committee on arbitration was appointed, consisting of Governor Waite and myself, this showing the men had full confidence in the governor. Early the following morning the committee started for Colorado Springs, but failed to reach Adilade, finding the heavy rains had washed out the roadbed. The party remained in the car through the day and night, then walked the following day to Florence through rain and water. Think of the hardships encountered on this trip in behalf of humanity by the governor of the state, who was then over seventy years of age.

"Arriving at Florence we were informed that the railroad was washed out between Florence and Pueblo, but through the kindness of Mr. Johnson, of the Florence & Cripple Creek, and Mr. Slack, of the Denver & Rio Grande, a special train was secured to carry us by way of La Junta to Colorado Springs.

"The party went to Colorado college and met President Slocum, who notified the mine owners of their presence in the city. Arrangements were made for a meeting the same afternoon. An agreement was made between the mine owners' on the one side, and Governor Waite and myself on the other, that J. J. Hagerman be selected to represent the mine owners' side of the question, and Governor Waite the miners' side, under conditions that I should remain in the adjoining room and advise the governor upon all points under discussion with which the governor was not familiar. After a session of four hours an agreement was reached, Mr. Hagerman, however, refused to sign until after lunching. During the interval, a number of mine owners and politicians requested Mr. Hagerman not to sign the agreement, stating he had given up everything the miners had contended for. Mr. Hagerman then refused to put his signature to the document. However, June 5 Mr. J. J. Hagerman, D. H. Moffat and the governor got together and signed the same agreement that was made in Colorado Springs, three days before, to the effect that the miners receive $3.00 for eight hours work, and no discrimination be made between union and non-union men, provided the latter were paid the scale of wages. The trouble was not ended, however.

"The county officials were foaming with rage by reason of their utter defeat to intimidate the miners with their twelve hundred deputies, their canon and gatling guns. Bob Mullen who was the real commander at the deputy camp, ordered his men to march on Bull hill and storm the miners' stronghold. The latter learning of the intention of Mullen, prepared to defend their houses and families to the last. It looked as if the long delayed clash between the miners and deputies was at hand, and hundreds of lives were to be sacrificed. In the meantime, the governor, hearing of the serious condition of affairs, ordered the state militia to assemble at once and proceed to Altman with orders to take a position between the miners and deputies and fire upon the party who persisted in firing a gun. The Leadville company signalified itself by capturing a Midland train in its haste to arrive on time; but the deputies made no determined effort to take Bull hill until after they saw the state militia assembled between them and the miners.

"General Brooks notified Mullen if he attempted to go on the hill he would fire upon his men. Mullen and Commissioner Boynton, who was really the acting sheriff as well as commissioner, marched the deputies through Cripple Creek and over to Victor, where they camped for the night, near the Independence mine, returning to Colorado Springs the following day. The militia remained in the district about five days. A grand jury was summoned and brought in about forty indictments. Trials dragged along for two years; but, with the exception of Lyons and Tully, no convictions were had. Thus ended one of the most bitter contested struggles ever fought between capital and labor. The commissioners had used the county's cash with lavish hand until its treasury had been depleted. A new court house, which the county was about to build, had to go by default; but a lesson had been given both sides to the dispute, and a better feeling soon sprang up between employers and employes, the same having remained untarnished up to the commencement of the present strike.

"The mysterious man of the 'Bull Hill War,' was general Johnson, who was a West Point graduate—quite an unassuming man, but every inch a soldier, as his record in the Spanish-American war proves. He was commissioned an officer by the governor of Arkansas, and died about three years ago. A number of accidents occurred to the deputies by the accidental discharging of their weapons, Charles Steele, who was manager for W. S. Stratton, lost his life in this manner, as did Columbus Wright. The tarring and feathering of General Tarsney was a disgrace to the state, and showed the class of men the sheriff had enlisted as deputies. A great many of them have since served time in the state penitentiary for offences committed by them.

"When we view the action of Governor Waite, during the strike of 1894 in the district, and compare it with the position taken by Governor Peabody in the present strike, we can not help but say, what fools the toilers are! Governor Waite believed the National guards of the state was to protect life and property, but not for the purpose of farming it out to any man or any class of men. Governor Peabody's actions indicates that he believes the National guard is created for the purpose of being farmed out to men possessing wealth, and to oppress the laboring man in the formers interest. The working men and their families have the power to select whom they please as governor, and unless they use that perogative they must suffer. The toilers should raise a monument over the last resting place of all that remains of the best and noblest friend they ever had as governor of the state of Colorado—Davis H. Waite."

JOHN CALDERWOOD, President of No. 19, in 1894. Dec. 8, 1903.

MR. JOHN CALDERWOOD.

A COMMUNICATION FROM A VETERAN OF THE "WAR OF '94."

"I was here during the Cripple Creek 'war of '94.' It is only a memory now, it was a nightmare while it lasted. For months we lay like two hostile camps arrayed against each other, with, at one time, three armed bodies of men facing one another. It was an ugly piece of business, for politics, religious prejudice and other things that have no business in a labor strike, were permitted to be brought in. It was fortunate, indeed, that a horrible massacre did not occur and more valuable property destroyed.

"A rough crowd of men rushed into the district from other states and territories. The sheriff deputized 1,200 men as fast as they applied for the positions. The sheriff did not question the men he took into his service, naturally could not in employing over a thousand men in less than two weeks. The result was that the county seat (Colorado Springs) was kept in an uproar for a week or two. .There was some very tough men among those deputies, 'killers,' in fact, from the territories. This element found it to their interest to keep people believing they needed protection, so they did, but not from union miners. When there is trouble you can always depend on the low element working in and making themselves prominent. They certainly did in the strike of 1894. They came into the district as deputies, supposed to be sent to help keep peace and enforce the law. The mine owners had put their wits together and the result was the invasion of the lawless element under the direction of the sheriff of El Paso county, in which the Cripple Creek district was then located, Teller county had not been made at that time. The mine owner's intention, it was thought, was to resume with the deputies for protection.

"June 7, Bob Mullen, who was the real commander in the deputy camp, suddenly pounced down upon the reporters, telegraph operators, etc., and locked them up, one and all. Not a line of news went from the camp that night. But the deputies were ordered to break camp and pack there goods on a Midland train. The next day they were moved down to the end of the Midland Terminal and from there to Cripple Creek. On the morning of June 9, the deputies sent out some skirmishing parties in various directions. The sheriff informed General Brooks, the brigadier in charge, that the men were simply going to close up some roads, as some bad men were escaping. However, quite a body of deputies begun to move up Tenderfoot hill, which would give them a decided advantage. General Brooks saw this and became suspicious. He ordered his troops to advance up the hill also, and then occurred a foot-race between deputies and militia. The state troops won because the commander of the deputies ordered his men back. The deputies thought when they started that they were in for a long anticipated fight and when they were stopped, became disgusted. They fixed up an old melody so it ran this way:

"'The sheriff of El Paso had one thousand men,
He marched them up a hill and he marched them down again.'

"The deputies, as I have stated, were made up of anything but desirable men, in fact, any one that applied was deputized and given a gun. It was a great wonder that there was not a greater loss of life. Several men fell and accidently shot themselves. Many things of that kind happened that the miners could not be held responsible for. I must make mention of the tarring and feathering of Adjutant General Tarsney, by the citizens of Colorado Springs. 'History,' it is said, 'repeats itself,' in the tarring and feathering act history has not as yet been repeated, but there is a well-known adjutant that played a prominent part in the strike of '03, that a little tar and feathers might improve. The militia in the strike of '03 repeated the history of the deputies of 1894.

"For a laboring man to look back over the situation ten years ago and up to the present time, it is enough to discourage him. It is enough to make a man feel that it is no use to try to earn an honest legitimate living. What is the use, I ask, of the laboring man casting a vote, if that vote wins by a majority of 40,000 and can then be turned down by capitalists if they so desire? If the monied powers can control legislature and all the powers of the state, against the vote of 40,000 majority, then I say what has the wage-earner left, but to enforce justice by organizing, and, when the capitalistic masters refuse to give heed to the appeals for a living above starvation, strike for it?

"The masses of the state of Colorado, said by their vote, 'we want an eight-hour law, even if we have a Republican administration,' did we get it? Not that we know of. Why? Because mine owners put up the cash, it is said, to defeat it in the legislature. Just as soon as the bill was defeated MacNeill, of the Reduction and Refining Co., began his former practice of discharging union men. After being waited upon and remonstrated with in the kindest possible manner, the worm turned. And the union men said, 'you will listen or we strike.' The result was that from 5,000 to 10,000 union miners walked out and by this act said, 'pay your men in your mill fair wages for eight hours or do your work yourself.'

"In the winter of 1893 and spring of '94 General Bell did not treat the union miners as he has treated them in 1903. At that time he was very glad of the privilege of a talk with a miner on the strike situation. He had not been declared 'it' (by himself) at that date, he has grown, in his own estimation, in a marvelous manner within the past ten years. Now he says 'no one can remove me,' or in other words, 'it is ME and Peabody and I will consider the lord later.' In 1894 we had a grand old man, stooped with years but true gold, who stepped between the wage-earner and mine owners and said, 'the law must be obeyed,' and proceeded to enforce it. He made no false statements, he didn't have time, he attended to his own business and did not send a bogus 'committee' as a farce to hunt a premeditated excuse to bring the state troops into a district that was able to dispense with one of their regular policemen on account of his services not being needed. The 'committee sent by the governor slipped in and out of the district under cover of the night. Interviewed three or four of the most bitter enemies of organized labor, the result was prearranged and at once carried out. The militia came and everyone is familiar with the resolutions, etc., announcing the citizens' appreciation of the governor's kindness in thus protecting the people that had made him the chief executive of the state. There came among us a set of men that their acts would shame even the deputies of '94.. A set of brave, (?) handsome, (?) honest, (?) law-abiding (?) guards that have made themselves heroes by charging down Battle mountain 500 strong, with glittering bayonets and six gatling guns to capture what? an armed force of lawless union miners? not much, a poor, helpless burro that could not salute or understand the necessity of being disturbed. Among the outrages perpetrated by the militia the most prominent that will go down in history, will be the driving of people from the sidewalks on Sunday, the insulting of unprotected women on the streets and the arresting of children. Every way we turn we see a big yokel with a six-shooter at his side to keep law and order. I venture to say, if a poor little newsboy would place a toy pistol in the face of any of the 'tin' soldiers and say 'move on,' they would shame a sprinter in the way they would move to headquarters. These are the good American citizens that were brought here to protect life and property. Had a class of men of the same character come into this district in 1877 to 1883 they would have met the same treatment as Billy Stephens and his sixteen Chinamen in California gulch. There was a dead line drawn and the Chinamen were instructed to cross the line and never return at peril of their lives. They took the advice. After Billy Stephens learned that there were other free American citizens, who were entitled to consideration, he engaged in mining and paid his men the union scale and was always good and kind to his employes and, I might add, made millions afterward. No more Chinamen made their appearance in California gulch.

R. T. GARD.

The Strike of 1903.

Regarding the strike in the Cripple Creek district, it is necessary to go back nearly a year that we may understand the actual conditions and causes leading up to the main strike.

Last fall, shortly after the Mill Workers of Colorado City had been organized by a representative of the Western Federation of Miners, C. M. MacNeill, vice president and general manager of the United States Reduction and Refining company, who were operating the Standard mill at Colorado City, started the same tactics that he had used on previous occasions in breaking up a union of the mill workers of Colorado City—that of discharging the union men as fast as his paid spotters reported their names. This policy on the part of Mr. MacNeill was pursued from about the middle of August, 1902, (when the union was formed) until the 14th of February, 1903, when it was found that about forty-two of the most effective members had been discharged for no apparent reason other than being members of organized labor. If this policy was to be pursued by MacNeill, the union would soon be dissolved. The situation in Colorado City is fully described under the caption: "The Strike in Colorado City" which appeared in the April number of the Miners Magazine.

THE STRIKE IN COLORADO CITY.

"On February 14, 1903, the Mill and Smeltermen's Union No. 125 of the Western Federation of Miners, were forced to strike a blow on the industrial field against the arrogance of the mill trust, whose employes were denied the right to organize for self-protection under the penalty of a forfeiture of employment. Previous to the Western Federation of Miners sending an organizer to Colorado City to establish a local of the W. F. M., the employes of the mills had maintained a local union which was disrupted and shattered through the employment of Pinkertons by the corporations.

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"When the Western Federation of Miners invaded the domain that was considered sacred to MacNeill, Fullerton and Peck, and organized the Mill and Smeltermen's Union, corporation coin secured the services of a Benedict Arnold in the union by the name of A. K. Crane, who for Judas money prostituted his manhood and betrayed his fellowmen by furnishing the corporations the names of every man who sought shelter in the membership of the Western Federation of Miners. As rapidly as the names of members of the union were furnished by the traitor to Manager MacNeill of the mill trust they were discharged without ceremony. The union at Colorado City bore with patience this discrimination until patience became so abused 'that it ceased to be a virtue.' The representatives of the Western Federation of Miners called upon the management of the mills, protesting against discrimination, but all efforts to bridge the gulf that lay between the union and the mill owners were fruitless, and the strike was declared on February 14, against the United States Reduction and Refining company. It was but a short time when the Telluride mill owners joined hands with MacNeill and entered into a compact that was backed and supported by the Mine Owners' Association of Colorado to fight to a finish any and all efforts of the Western Federation of Miners to establish the right of the mill men to organize for their mutual welfare and collective prosperity.

"The strikers conducted their campaign in a most peaceable manner and their eloquent and moral persuasion left the mills in a condition which baffled the managers whose haughty contempt for unionism forced the battle. Secret meetings of the mill owners and representatives of the Mine Owners' Association were held, and a plot was hatched that would bring the state militia to the scene of action to assist the corporations in their infamous assault upon the right of labor to organize. The governor of the state became a willing tool to serve the interests of the corporate masters, who, in all probability, but a few months ago furnished the 'sinews of war' to aid him in reaching the goal of his political ambition. The reason and the cause which led to the strike can be conveyed to the readers in no more abbreviated manner than to quote the language of Secretary-Treasurer Haywood to a reporter of the Denver Post of March 4:

'WHY THE STRIKE WAS STARTED.'

" 'The occasion for the strike was the absolute refusal of the mill managers at Colorado City to treat with or recognize organized labor. Our men were discharged because they belonged to the union; they were so informed by the managers. We then asked the operators to reinstate these men and consider a wage scale. They would do neither.

" 'We object to compulsory insurance, claim the constitutional right to organize as do the operators, and want wages that will enable our men to move into houses and not rear their families in tents. The scale asked is lower than in any milling or mining camp in Colorado.

" 'During the bitter cold weather the wives and children of many of the men were huddled together in tents because the wages paid would not suffice to pay house rent and provide other necessities.

" 'The minimum scale paid is $1.80 per day, from which is deducted

5 cents for compulsory insurance and one per cent discount. Checks are drawn in favor of merchants with whom the men trade.'

"When the mill owners and the representatives of the Mine Owners' association realized that the strikers were masters of the situation, and their places, a picture was drawn by the corporations to present to the governor that would justify the legality of the state militia being used to break the strike. The governor, in his message to the legislature after having taken the oath of office, was emphatic in his assurance that he would uphold 'law and order.' Such words coming from the chief executive of the state was wisely interpreted by the capitalistic anarchists, who knew that the governor would never call out the state militia to prevent the employer from starving his serf. On the third of March, at the hour of noon, the governor, who but a few months before was living on usury in the convict city of the state, issued an order that swelled the plutocratic heart with gratitude and joy."

THE GOVERNOR'S ORDER.

Denver, Colo., March 3, 1903.

Executive Order.

" 'Ordered—It being made to appear to me by the sheriff of El Paso county and other good and reputable citizens of the town of Colorado City and of that vicinity in said county, that there is a tumult threatened, and that a body of men acting together by force with attempt to commit felonies and to offer violence to persons and property in the said town of Colorado City and that vicinity, and by force and violence to break and resist the laws of the state, and that the sheriff of El Paso county is unable to preserve and maintain order and secure obedience to the laws and protect life and property and to secure the citizens of the state in their rights, privileges and safety under the constitution and laws of this state, in such cases made and provided.

" 'I therefore direct you, in pursuance of the power and authority vested in me by the constitution and laws of the state, to direct the brigadier general commanding the National guard of the state of Colorado to forthwith order out such troops to immediately report to the sheriff of El Paso county, as in the judgment of the brigadier general may be necessary to properly assist the sheriff of that county in the enforcement of the laws and constitution of this state and in maintaining peace and order.

" 'Given under my hand and the executive seal this third day of March. A. D. 1903.

JAMES H. PEABODY, Governor.

To the Adjutant General, State of Colorado.'

"The order of the governor calling out the state militia to proceed to

Colorado City came upon the people of the state of Colorado 'like a peal of thunder from a cloudless sky.' Many doubted the story that was flashed from one to another, but as soon as President Moyer and Secretary-Treasurer Haywood ascertained the truth of the report, the following address and appeal was drafted and furnished to the Denver Post and Rocky Mountain News for publication:

'LABOR'S ADDRESS TO THE PEOPLE OF COLORADO.'

" 'The chief executive of the state of Colorado has ordered the militia to Colorado City. The governor of this great commonwealth, after giving audience for several hours to Manager MacNeill and the representatives of the 'Mine Owners' association,' men who are pecuniarily interested in the degradation and subjugation of labor, send the armed power of the state to aid the merciless corporations in demanding their 'pound of flesh' from the bone and muscle of men who have borne the tyranny of greed 'until patience has ceased to be a virtue.'

"Manager MacNeill acted as a deputy of the sheriff, and handed to the governor the following letter:

" 'I hand you herewith a communication from the Portland Gold Mining company, operating a reduction plant in Colorado City, and from the United states Reduction and Refining company, from which I have received requests for protection. I have received like requests from the Telluride Reduction company. It has been brought to my attention that men have been severely beaten, and there is grave danger of destruction of property. I accordingly notify you of the existence of a mob and armed bodies of men patrolling this territory, from whom there is danger of commission of felony.'

"It does not appear from the letter of the sheriff that he made a personal investigation of the conditions existing at Colorado City. The communcations from the corporations to the sheriff of El Paso county actuated the sheriff in placing in the hands of Manager MacNeill, a member of the corporations, an order to Governor Peabody, and upon the strength of this letter, the armed force of the state is to be placed at the disposal of the corporations, to be used in intimidating labor to fall upon its knees in mute submission to the will of oppressors. No word came from the citizens of Colorado City to the governor, stating that there was a mob or insurrection. Depending absolutely upon the unsupported representations of the corporations and a letter from the sheriff, an official. who, from his letter, has failed to make a personal investigation, the governor of this great state has become a willing tool in the hands of corporate masters, to place the armed machinery of Colorado in the hands of corporations.

WHO DID THE GOVERNOR CONSULT?

"The governor listened attentively to the gory story of MacNeill, the representative of the corporations. Why did he not summon the representatives of labor, and hear their evidence, as to the conditions at Colorado City? Is there only one side to a story when the interests of corporations are to be subserved and labor humiliated?

"The Western Federation of Miners, through its executive officers, appeal to the laboring hosts of Colorado, to denounce this unpardonable infamy of the governor by pouring into the present legislature an avalanche of protests The hour for action on the part of labor is at hand, and the voice of the producing class must be heard in thunder tones in the legislative chambers of the state, branding this shameless abuse of gubernatorial power, with the malediction of their resentment.

CHARLES MOYER, President W. F. M.

WM. D. HAYWOOD, Secretary-Teasurer.

"As soon as it was learned by the citizens of Colorado City that the state militia had been called out by the governor, and ordered to Colorado City, the mayor and members of the city council held a meeting and the following protest was telegraphed to the governor:

" 'Governor Peabody—It is understood that the militia has been ordered to our town. For what purpose we do not know, as there is no disturbance here of any kind. There has been no disturbance more than a few occasional brawls since the strike began, and we respectfully protest against an army being placed in our midst. A delegation of business men will call upon you tomorrow with a formal protest of the citizens of the city. (Signed J. F. Faulkner, mayor; George G. Birdsall, chief of police; John McCoach, city attorney.'

"J. F. Faulkner, the mayor of Colorado City, made the following personal statement to a representative of the Rocky Mountain News:

" 'The only trouble we have had since the strike began was yesterday afternoon, when there were a few street fights. These disturbances were quickly quelled and the offenders were arrested. There were no gun plays. The men simply fought with their fists and probably the employes of the mills who came down town were given the worst of it.'

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"Chief of Police George G. Birdsall of Colorado City was interviewed by a reporter of the Rocky Mountain News and spoke as follows:

" 'I have talked with a number of people during the afternoon and they are all exceedingly indignant at the thought of having the militia come among us. If some trouble had arisen which we experienced difficulty in handling, then there might have been some excuse for sending soldiers over here, but nothing of the kind has taken place. I am sure the strikers do not care to employ force to win their victory.'

"In the face of the protests that came from the mayor, chief of police, city attorney and the citizens of Colorado City, the governor attempted to defend his position and his action in the following words:

"'If I had not considered that the situation warranted the order I would not have issued it. The sheriff is an officer of the court and does not have to make an affidavit. He asked for immediate help and he got it. Those people must learn that they have got to be law-abiding citizens, the same as you and I.

"'I will protect the property and lives of the people of this state if I have to call out every able-bodied man in the state.'

"This statement of the governor demonstrates that he placed more reliance on the mere assertion of the sheriff than the protests of the mayor, the city council, chief of police and city attorney, whose interests are identified with the city, in which the sheriff assumed without evidence, the threatened destruction of life and property.

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"The citizens of Colorado City, to the number of more than 600, signed a petition which was presented to the governor, requesting that the militia be recalled, but the governor remained as adamant to the written appeal of that citizenship.

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"The governor is quoted by the Rocky Mountain News in its issue of March 5 as giving expression to the following:

"'I will not withdraw the troops until the trouble is settled. They are at Colorado City to protect the rights of the miners as well as of the smeltermen. There are no agitators running this administration. This administration is to be run for the benefit of the people. If a man wants to work he has a perfect right to do so and the troops are there to see that everybody's rights are protected.'

"The above proves beyond the question of a doubt the antipathy of the executive of the state against organized labor. 'Agitators' are particularly objects of his vindictiveness. He seems to forget that the 'agitator' in every age of our civilization has been the advance guard in the conflict that humanity has waged against injustice. Phillips, Garrison, and John Brown were the advance agents of the rebellion, whose 'agitation' against chattel slavery lifted the 'lamp of hope' to the trembling black man and made an Abraham Lincoln grasp the pen with the hand of a hero to liberate from slave pen and master's lash 4,000,000 serfs that were bound to the bench of unpaid toil.

"Christ was an 'agitator,' and we regret to say that it was the Peabodys of his day and age that put upon his brow the crown of thorns, nailed him upon a cross, plunged the spear into his side and mocked him in the agony of death.

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"Previous to the strike being declared, the following letter was presented to the mill managers by the Mill and Smeltermen's union of Colorado City:

" 'We respectfully present for your consideration a schedule relating to employment and wages in and about the mills. This schedule has been carefully considered by members of the Colorado City Mill and Smeltermen's union No. 125, W. F. of M., and they deem it a fair and reasonable minimum scale for the services in the various lines of work, and inasmuch as throughout the immediate surrounding places a like or higher scale is in effect, it is evident that both the employer and the employes regard a scale not lower than the one presented as just and equitable. Should there be any part of the schedule, however, which appears to you as not being fair and just we will be glad to take the matter up with you, and assure you of our willingness to look at things from the company's standpoint as well as our own, and do that which will promote harmony and justice.

" 'We are greatly aggrieved over the discharge of individuals who have been, as far as we are informed, faithful employes of the company, and the only reason for their dismissal being the fact of their membership in this union.

" 'We do not object to the company discharging men whose services as workmen are unsatisfactory. We are not now, nor do we intend to uphold incompetent men nor insist that they be either employed or retained in the employment of the company, but we must protect the men in their rights to belong to the union, even to the extent of discontinuing to work for any company which so discriminates against them.

"Realizing that you will require some time to consider the accompanying scale, the committee will call upon you on the 25th inst. and expect a definite answer."

"This letter was signed by the official committee of the union, but the letter received but little courteous consideration from the managers. When all overtures of the union failed to bring about an amicable adjustment of differences, the strike was declared as a last resort for justice. The mill managers exhausted every resource to fill the places of the strikers, but their efforts were unavailing. The governor then came to the rescue by recognizing the order of the sheriff, who wears the collar of the corporations. The Denver Post contains the following in its issue of March 6:

"This is the telegram sent to the Colorado City mill managers by the Denver Post:

"Are you willing to submit to arbitration the trouble between your company and the mill workers employed by you, the arbitration board to be appointed by joint arrangement of parties involved? Please answer at our expense. THE DENVER POST."

"This is the reply:

"There is no trouble between our company and mill workers employed by us. Our employes are now and have been perfectly satisfied with wages and treatment. Wages paid by us more and hours of labor less than ore reducing plants with whom we compete. Our employes don't ask to arbitrate. Our plants are full handed and all our employes and plants require is protection from the violence of outsiders not employed by us. We would be pleased to have your representative visit our plants and fully investigate. C. A. MACNEILL,

"Vice President and General Manager United States Reduction and Refining Co.'

In the same issue of The Post the following editorial appears:

"C. M. MacNeill, stand up!

"Was not this telegram of yours indorsed by the other mine managers?

"Is it not true that it is a subterfuge?

"Is it not a brazen falsehood from beginning to end?

"Is it not a carefully worded telegram, prepared to hoodwink the people of Colorado?

"Is it not intended to make the people believe the mill managers are more sinned against than sinning?

"Are you not laughing at your own cunning and flattering yourself that you have made a master stroke and have fooled the people?

"Your answer to each of these questions, if you are truthful, must be:

" 'Yes.'

"Read your own telegram, Mr. MacNeill.

" 'There is no trouble between our company and mill workers employed by us.'

"Is it not a fact that your employes are on a strike?

"You must answer 'Yes.'

" 'Our employes are now and have been perfectly satisfied with wages and treatment.'

"Is it not a fact that your wages were so low that the men were hungry more than half of the time?

"Is it not true that your employes were forced to pay insurance and medical assessments and trade in your stores?

"Is it not true that many employes were forced to live in tents because you would not pay them enough to pay for a house?

"To each of these questions you must answer 'Yes.'

" You say, 'wages paid by us are more and hours of labor less than ore reducing plants with whom we compete.'

"You know that is a barefaced lie, don't you?

"Is it not a fact that the Woods Investment Company pays higher wages for less hours of work than do you?

"Answer 'Yes.'

"You say, 'our employes don't ask us to arbitrate.'

"Is it not a fact that they have offered to arbitrate and you refused?

"Is it not a fact that you say 'there is nothing to arbitrate' to these men?

"Is it not a fact that you are trying to break the union?

"Is it not a fact that you have refused and do refuse to recognize the rights of men to organize?

"Do you not know this right is guaranteed by the constitution of the United States that gives to every man the right of liberty and pursuit of happiness?

"Do you not know that you are seeking to deprive these men of their liberty and deprive them of their happiness by grinding them down to the level of serfs?

"You must answer 'Yes' to these questions or tell a deliberate lie.

"You say, 'our plants are full-handed and all our employes and plants require is protection from the violence of outsiders not employed by us.'

"Do you not know that lies teem in every word of that sentence?

"Craftily as you have couched that sentence, do you not know that it will not fool the people of Colorado?

"Is it not a fact that your plants are not full-handed?

"Is it not a fact that there has been no violence?

"Is it not a fact that you had the troops called out to awe men who were asking only that you pay them money enough for their labor to allow them to live decently?

"Is it not a fact that citizens of Colorado Springs and Colorado City to the number of hundreds have signed petitions to Governor Peabody declaring that there was no violence?

"Do you not know that these troops are costing the state of Colorado $2,000 a day and that there is absolutely no use of them in Colorado City?

"Is it not a fact that you have those troops there just to excite violence?

"You must answer 'Yes.'

"Is it not true that your company has $12,000,000 of watered stock and pay dividends on starvation wages?

"Answer 'Yes.'

"Don't you know that you must answer 'Yes' to these questions?

"This is what the Western Federation of Miners stand for:

"'To secure compensation fully commensurate with the dangers of our employment and the right to use our earnings free from the dictation of any person whomsoever.'

"Do you indorse that for yourself personally?

"Answer 'Yes.'

"Is there any reason why every man should not indorse that?

"You must answer 'No.'

"Here is another point the miners stand for:

"'To establish as speedily as possible and so that it may be enduring, our right to receive pay for labor performed in lawful money and to rid ourselves of the iniquitous and unfair system of spending our earnings where and how our employers or their agents or officers may designate.'

"Is that not right?

"Will you consent to anybody dictating to you how or where you will spend your salary?

"Here is another point the miners stand for:

"'To use all honorable means to maintain and promote friendly relations between ourselves and our employers, and endeavor by arbitration and conciliation or other pacific means to settle any difficulties which may arise between us, and thus strive to make contention and strikes unnecessary.'

"Does this not show that our employes are ready to arbitrate?

"Is that not an honorable and fair stand for a man or men to take?

"You must answer 'Yes.'

"Mr. MacNeill, stand up.

"You are the Baer of Colorado."

The Rocky Mountain News in its issue of March 7 had the following editorial on the "Duty of the Governor:"

"Governor Peabody's position in regard to the labor troubles at Colorado City is (1) that he will take no steps toward recalling the troops, or in any other direction until next Monday develops the situation in Cripple Creek in regard to the shipment of ore to the mills where the men are out, and (2) that he has done all that his duty requires him to do, and will make no move of his own volition, toward trying to get an agreement between the men and the mill owners, or a conference between them or submission of the dispute to arbitration.

"Such a view of the duty of the governor to the public is exceedingly narrow. His office charges him with the duty of doing everything in his power to insure the peace and prosperity of the state. At the present time there is no single matter in which he can render more real service to the state and its people than by using his personal and official influence to bring about a settlement of the strike in the mills at Colorado City. Failing to move in that direction he fails in his highest duty as governor.

"Should Mr. Peabody persist in that determination no other conclusion will be possible than that he favors the mill owners and wishes them to win, whether they be right or wrong.

"His call for the National guard was made after a consultation with only a sheriff, who had utterly failed to use the power of his office, and with Manager MacNeill, of the mill trust. The governor took their report for everything.

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"The legislature is in session and it is the business of that body to take official notice of the situation. A petition was presented in the house yesterday, signed by a large number of citizens of El Paso county, protesting against the presence of the military. A majority of the House, voting almost strictly on party lines, refused the petitioners the courtesy of havng their paper read. The legislature or the senate, if the house will not act jointly, ought to appoint a committee to visit the scene of the trouble immediately and report.

"Matters will come to a focus in the Cripple Creek district on Monday and a strike on a number of mines in that district may result if the mill difficulty is allowed to drift without action by the governor or the legislature. It will be no less than a crime against the people if both the executive and legislative branches of the state government do nothing toward securing an adjustment."

The editorials of the Denver Post and the Rocky Mountain News will give the members of the Western Federations of Miners throughout the whole jurisdiction of the organization an intelligent idea as to the situation in the state of Colorado.

Secretary-Treasurer William D. Haywood, on March 10 expressed himself as follows:

"The rights of personal freedom and the liberty of speech are being violated. The strikers' pickets are being arrested on the public domain, when not attempting to encroach on the company's property. They are not permitted to speak to the men who work in the mills, although their purpose is the peaceable one of persuading the men to quit work. So many of the non-union men have left the mills that the company is getting desperate.

"Now, the situation is this: The miners of this state do not propose to submit to such oppression. They are advocates of law and order, and they will not long permit it to be violated even by the state's chief executive. There is grave danger in pushing oppression too far, and it is certain that the miners are now in a mood to strike back. They will preserve their liberties and retain their rights if it is necessary to pass through the Red Sea of revolution in order to do so. Colonists had less occasion to rebel against the authority of King George than have the miners of Colorado to resist the oppression of Governor Peabody.

"Our attitude toward civil authority and toward society is shown by section 2 of our constitution, which reads:

" 'The objects of this organization shall be to unite the various persons working in and around the mines, mills and smelters into one central body, to practice those virtues that adorn society and remind man of his duty to his fellow man, the elevation of his position and the maintenance of the rights of the workers.' "

As soon as it became known throughout the state that the militia had been ordered to Colorado City, organized labor in every hamlet, village and city of the state, acted as a unit, in carrying out the instructions that were conveyed in the address that was issued by President Moyer and Secretary-Treasurer Haywood. The first petition that was presented to the legislature in condemnation of the governor, was laid upon the table by a vote of 29 to 19. The members of the legislature did not seem to realize that organized labor throughout the state was thoroughly aroused, and when petition after petition came into the chambers of the law-makers, the corporation-owned lackeys of the Peabody administration felt "a change of heart."

The governor for a few days played the role of the parrot to Manager MacNeill, and echoed the slogan of the corporations: "There is nothing to arbitrate." Nothing to arbitrate, exclaimed the governor, when the state militia, at an expense of $1,500 per day are located at Colorado City to give assistance to the mill trust in binding the shackles of a more galling bondage on the limbs of the serfs, who rebelled against czarism in Colorado? Nothing to arbitrate, when mill managers ride in $14,000 automobiles, and their employes live in hovels, surrounded by squalor of the most abject poverty? Nothing to arbitrate while misery is the legacy of the mill workers, and fabulous dividends, for the trust? Governor, in the language of the street, "You are a corker." The sentiment of the people of Colorado was expressed in the numerous petitions that poured into the state capitol, and the governor showed symptoms of receding from his former position.

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Sherman Bell, the adjutant general elect, who was recently appointed by the governor at the urgent request of the "Mine Owners' Association," and whose salary in the capacity of adjutant general is $1,800 per year plus $3,200 which is to be appropriated by the "Mine Owners' Association," has assumed the attitude of a military autocrat. This imperial bum hero who won a questionable reputation in the Spanish-American war, by crawling behind the breastworks of black men, who stormed San Juan hill, vomited the burning lava of his pent-up indignation in the following words to a correspondent of the Denver Post.

"You may say for me, in the most emphatic and unqualified terms, that while President Moyer of the Western Federation of Miners is in Denver carrying a white flag of truce and asking for the good offices of Governor Peabody to relieve him aud his factional Coeur d'Alene followers from their present embarrassing predicament, he is acting with a double purpose here by waving a red flag under a black flag and at the same time is endeavoring to be relieved of any and all responsibility for the firing at our sentries by Moyer's assassins and forcing his ideas of arbitration. There is nothing to arbitrate with us on this matter, and everybody concerned might just as well understand it. That is all there is to that."

Sherman Bell is not supposed to assume the duties of adjutant general until Gardner of "Wrath of God" and Snowslide Fame," steps down and out at the expiration of his term in the month of April. But Bell is anxious to impress the mine owners with the fact that their princely donation of $3,200 per annum in conjunction with the regular salary is duly appreciated, and that no effort will be spared on his part to fully meet their expectations in serving the interests of the corporations.

President Moyer in the same issue of the Denver Post, which quoted the belligerent verbosity of Bell, had the following to say to a Post correspondent:

"The Mill and Smeltermen's Union agreed to submit their differences to a board of arbitration, and were willing to abide by the decision of such a board. The terms submitted for arbitration by the Federation are as follows:

"First—That eight hours shall constitute a day's work in and around the mills.

"Second—That all men now on strike or who shall have been discharged by the different milling companies for no reason other than that they were members of Colorado City Mill and Smeltermen's Union, be reinstated.

"Third—That members of organized labor be not discriminated against, but be privileged to affiliate with a labor organization, and that they be not discharged for said affiliation.

"Fourth—That the scale of wages as set forth in the demands of the Mill and Smeltermen's Union be paid.

"Fifth—The Colorado City Mill and Smeltermen's Union is willing to submit the above demands to a board of arbitration, selected as follows: The first member of the board to be selected by the governor or the mill managers; the second member to be selected by the Western Federation of Miners, and the third to be selected by the two; and the Colorado City Mill and Smeltermen's Union No. 125 agrees to abide by the decision of the said board, providing that pending their deliberations the state militia, armed guards, strike breakers and all pickets be withdrawn from in and around the above mentioned mills. CHARLES MOYER,

"Representing Mill and Smeltermen's Union No. 125."

Attorney J. R. Smith was engaged by the Federation to bring suits against officers of the militia, who have confiscated property of the strikers and ignored the individual liberty of citizenship. Mr. Smith took his departure from Denver on the afternoon of March 12 for Colorado City and on the morning of the 13th expressed himself as follows:

"I have not yet definitely decided on the cases which I will bring, as I am making a thorough investigation of the facts and a careful study of the law applicable to the conditions which I have found here, I was not prepared to act at once, but during the day I will be ready to proceed in the court. The most important proposition is to ask the court to restrict the military to its proper functions.

"I shall appeal to the court to stop the unwarranted usurpation of authority which has been going on here in the name of military law. I cannot at this time state the exact cases which I will bring, but I can say that the placing of armed guards about headquarters of the union was a clear trespass.

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"I shall probably file some cases during the afternoon. I am consulting with W. A. Edmundson, the local attorney for the union. I have made up my mind on one point since coming here and talking with the people of this city, and that is that there is and has been no necessity for the presence of the militia."

* * *

The Post in its issue of March 13 said editorially:

"WHAT WOULD YOU DO, GOVERNOR, WERE YOU A MILL HAND?

"Governor Peabody, do you wish to learn the difference between the men working in the strikers' places at Colorado City and the strikers? You did not see the strikers when you visited the military camp there. You talked with the men at work in the mills.

"Governor, there is a profound difference between those—and that difference represents the truth.

* * *

"You talked with the men at work in the guarded mill, governor, and they told you that they had no complaints to make.

"At that moment a woman, sent by The Post, was doing a natural and practical thing. She was at the homes of the strikers talking with their wives.

"They were very poor, governor, so poor that the check you pay in a fashionable cafe for one meal would mean the very affluence of food for a striker's family for one week.

"And yet the men had worked very, very hard, governor. They had given every muscle and all the endurance they possessed to the mill—every bit of it—and yet their children would have shouted for joy and their wives wept over the sum of a restaurant check carried by a bowing waiter to the proud cashier of a fashionable cafe.

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"And then this woman, who writes for The Post, went to the homes of the 'scabs' and saw their wives and children and the men when they returned gloomily home—the men who told you, governor, that they had no complaints to make.

"Theirs are the homes, governor, where, after the credit at the store is cut off in the middle of the month, the women live on crusts of bread so that the men may have an egg or a bit of meat to keep up their strength to work for the mill until next pay day, when credit is restored and they can have enough to eat for another half month.

"But the men are working—they have no complaint to make.

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"Governor Peabody, imagine that you were shorn of your power, your fortune, your home—imagine that you had nothing wherewith to support your family save a chance to earn enough to keep them half alive.

"And suppose, governor, that you might lose that chance by a complaint. What would you do? Possibly you would cling to it; possibly you would try to smile through the cold sweat in your face and say:

"'I have no complaint to make. Let me alone!'

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"Or perhaps, Governor Peabody, if you found that there were beside you good and true comrades, brave men, who would stand by you, you might throw down your tools and say to your employers:

"'You must pay us living wages—By God, you must!'

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"That is the difference, governor, between the men who are striking and those who have no complaint.

"Read Dora Desmond's story in The Post today, the story written in the laborers' poor homes, written in the pure light of the sacrifice of their wives, written on the very heart of unrequitted toil.

"'Nothing to arbitrate!'

"Why, Governor Peabody, don't you know that, if you and the rest of the men who sit in their artistic homes with one hand fondly caressing sweet, sunny-haired children and the other holding up the newspaper wherein they read the news of the strike, don't you know what you and they would do were the conditions reversed?

"What would the so-called 'ruling classes' do if they found themselves giving their lives for one-half of a right to live?

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"How long would 'the great conservative, intelligent citizenship' stand it? How long would the mill owners toil in weary silence? How long would you endure slavery?

"Did it ever occur to you what the men would do who demand that union labor shall be crushed were they the toilers?

"Did it ever occur to you, governor, that they might say:

"'We can't arbitrate poverty and suffering.'

"But union labor offers to arbitrate, governor."

The Rocky Mountain News had the following editorial in its issue of March 14:

"SOME ADVICE BY REQUEST."

"Governor Peabody said yesterday that the News had been criticising him so freely that he would like the paper to tell him what it thought he should do to bring about arbitration of the Colorado City strike.

Whether the governor's expressed wish was an outburst of petulance or was caused by a real desire to receive a suggestion, The News does not know, but it will try to give the best advice it can.

"The first thing the governor should do to bring about arbitration is to believe that there ought to be arbitration, and then to act as if he believed it. So far as the press and public have been able to discover from the governor's words and actions, he has never given any intimation to the mill owners that he thought they should recognize the union and arbitrate the differences. Never has he made any declaration to the public that he thinks there should be arbitration.

"As a first step toward facilitating arbitration, let him make the public statement that he thinks the mill owners should accept the proposal of the Western Federation of Miners and that they will deserve to be condemned if they fail to accept it.

"The governor should understand that the people of this state, almost without exception, look on him as a partisan of the mill owners and think that the mill owners would have agreed to arbitration long ago were it not that they expect to have his full support whether they be right or wrong. This belief in the minds of the people may do the governor an injustice, but if it does he is responsible for it, and he only can remove it.

"The conviction that the governor stands with the mill owners took deep root when he called out the National guard and rushed it to Colorado Springs. Manager MacNeill of the mill trust came to Denver carrying in his pocket the request of Sheriff Gilbert for troops. Nobody had any idea that troops were to be asked for. There had been no disorder to warrant their entry on the scene. The sheriff of El Paso county had made no effort to employ the peace force of the county. The municipal authorities of Colorado City were prepared, alone, to keep order.

"But the governor and Manager MacNeill went into private conference and when they came out the order to the troops came with them. The governor did not go to Colorado City himself, he did not send anybody to investigate, he took the ex parte statements of the manager of the mill trust and the request of an incompetent sheriff as his warrant for sending a small army to Colorado City at an expense of over $1,500 a day to the state.

"Then the governor pushed aside the recognized officers of the National guard and gave some kind of a personal commission to Sherman Bell and James H. Brown, both of whom have conducted themselves in exactly the right way to provoke trouble. The appointment of Sherman Bell to be adjutant general of the state troops, beginning in April, is in itself an indication of the most extraordinary ignorance or recklessness on the part of the governor. A hair-brained adventurer like Bell is about the last man in the state who should be placed in a position so responsible as that of adjutant general.

"The public conviction as to the governor's mental attitude was fixed by his recent trip to the scene of the strike. He talked with the men working in the mills, but refused to go to a meeting of the strikers to which he was invited. Instead of spending the evening talking with the strikers and learning their opinions he chose to hold a social function in the Antlers hotel. At another time a public reception in the Antlers would have been in good taste. Under the circumstances which took the governor to Colorado Springs it was in the worst possible taste, and no man with an ounce of good judgment in public affairs ever could have been led into such an indiscretion.

"If the governor has any wish to invite public confidence in himself and his administration he will recall Bell and Brown from Colorado City, revoke Bell's appointment as adjutant general and require Brown to confine himself strictly to the duties of his proper rank in the guard.

"The proposition of the union is that the mill owners shall select one arbitrator, the Western Federation the second and those two the third, the finding of the board to be binding on both sides.

"If the governor believes that proposition to be fair, let him say so.

"Then let the governor notify the mill owners that if they will not accept that proposition at the meeting this afternoon he will withdraw the National guard from Colorado City and will issue a statement to the public saying that the mill owners are not disposed to be fair.

"If the governor will take that attitude an agreement to arbitrate will be reached before today's sun goes down. If he says there MUST be arbitration there will be arbitration."

The governor could no longer maintain his position that "there was nothing to arbitrate." Public sentiment became so strong that he was forced to use his office in bringing together both parties to the controversy. The governor requested the mill managers and the representatives of the Federation to meet at his office on the afternoon of March 14 for the purpose of obtaining further personal information. The Federation was represented by President Moyer and Secretary-Treasurer Haywood, who secured the temporary services of an attorney. The mill owners were represented by their managers and attorneys. The conference lasted from 2 o'clock Saturday afternoon until 3 o'clock Sunday morning, with the following results:

Terms of the Portland mill:

First—That eight hours shall constitute a day's work, in and around the mills, with the exception of the sampling department, which may extend to ten hours per day.

Second—That in the employment of men by this company there shall be no discrimination between union and non-union labor, and that no person shall be discharged for reason of membership in any labor organization.

Third—That all men now on strike shall be reinstated within twenty days from Monday, the 16th day of March, A. D. 1903, who shall have made application for work within five days from said date.

Fourth—That the management of the Portland Gold Mining company will receive and confer with any committee of the Colorado City Mill and Smeltermen's Union No. 125 at any time within said twenty days upon the subject of a scale of wages.

Dated at Denver, Colorado, this 14th day of March, A. D. 1903.

FRANK G. PECK.
For the Portland Gold Mining Company.
CHARLES MOYER,
For Mill and Smeltermen's Union.

Terms of the Telluride mill:

First—That eight hours a day shall constitute a day's work in and around the mills, with the exception of the sampling department, which may be extended to ten hours per day.

Second—That in the employment of men by this company there shall be no discrimination between union and non-union labor, and that no person shall be discharged for reason of membership in any labor organization.

Third—That all men formerly employed by the Telluride Reduction company shall be reinstated in the same positions which they occupied in the mill at the time it closed down, it being understood that in the new mill now under construction by the Telluride company that there will be certain positions in the new mill which did not exist in the mill as formerly operated, and that the agreement of the Telluride company to the reinstatement of men shall apply to the positions in the new mill which were in existence in the old mill.

Fourth—That the management of the Telluride Reduction Co. will receive and confer with any committee of the Colorado City Mill and Smeltermen's Union No. 125 within any time after thirty days from the date upon which the mill is placed in operation to consider a wage scale.

Fifth—The Telluride Reduction company further agrees that during the period of construction of this mill that it will employ as many of its old employes as it finds practicable so to do.

Manager MacNeill of the Standard mill, who has at all times maintained a stubborn attitude, practically forced himself out of the conference with the Portland and Telluride mill managers. President Moyer and Secretary-Treasurer Haywood, at the request of the governor, accepted an invitation to meet the manager of the Standard mill on Sunday, March 15, at 11 o'clock. The meeting took place at the governor's office, but all efforts on the part of the Federation representatives to bridge the gulf were unavailing. Manager MacNeill refused to reinstate the strikers, made no mention of the wages he would concede to his employes, nor would he consent to a recognition of the union.

The governor agreed that he would withdraw the state militia, providing the Western Federation of Miners would withdraw the suits that were entered against officers of the Colorado National Guard. If the representatives of the Federation had refused to accede to the demands made by the governor, the people of Colorado would have the inestimable privilege of continuing to donate $1,500 per day as an expense account for soldiers on dress parade. The people of the state have sized up the present executive, and have concluded that he is smaller mentally than he is physically. In the words of a prominent mining man, "He is a 'Reuben' from the country who shies at an electric light." He has lived so long in the rural districts of Colorado that bunches of alfalfa have grown on the gray matter in his think dome, and the war horses of the G. O. P. are endeavoring to disclaim responsibility for the political accident that nominated and elected the present apology as governor of the state.

After it became known that the Telluride and Portland mill managers and the representatives of the Federation had arrived at a satisfactory settlement, there was a general rejoicing, but amidst the jubilation there could be heard strong words of condemnation for Manager MacNeill of the Standard, who repudiated with haughty arrogance the reasonable demands of the Federation representatives.

The Cripple Creek Press, the official organ of organized labor of the Cripple Creek district, (since suspended) had the following to say in its editorial columns of March 15:

"The announcement of a settlement of the differences between the Mill and Smeltermen's Union No. 125 of Colorado City and the managers of the Portland and Telluride mills is pleasing to the people of this district, but the failure of the United States Reduction and Refining company to enter into the agreement made by the other mills means something which is not pleasing. It means that unless the mines shipping to the Standard mill accede to the demands made upon them by the executive board of the Western Federation of Miners that they quit shipping their ores to the said United States Reduction and Refining company on Monday that the miners employed by them will be called out by the Federation. It means that when these men are called out in support of their brothers on strike against the Standard mill they will go out and tie up those mines so tight that Manager MacNeill will have a difficult time in getting material to keep his pet scabs at Colorado City employed. The Western Federation has done everything in its power to bring about an amicable settlement, and when Manager MacNeill refuses to accept the terms made by the managers of the other mills he places himself behind the pale of public consideration and the only thing now left for the mine managers who are shipping to his mill will be to whip him into line or submit to a strike of miners employed by them. There is no middle ground with the miners on this question. They will be compelled to insist upon the demands made by them being complied with or walk out."

The governor failed to keep his promise that he would immediately withdraw the troops, and the delay of the governor in issuing his order recalling the state militia caused the following to be issued from the headquarters of the Western Federation of Miners on March 17:

"The representatives of the Western Federation of Miners, since the strike was declared at Colorado City, have at all times held themselves in readiness to confer with the mill managers for the purpose of bringing about an amicable adjustment of differences. For months previous to the strike the officers of the Federation labored early and late to bring about an honorable settlement, which would prevent any open rupture between the mill managers and their employes. The officers of the Federation have given a respectful hearing to representatives in all departments of business, and at all times have shown a disposition to submit their grievances to a board of arbitration. Had the mill managers manifested as earnest a desire to pour oil upon the troubled waters as the Western Federation of Miners the people of the state of Colorado would never have been compelled to forward protests against the executive of the state for his loyalty to corporate interests.

"Had the mill managers exhibited even the slightest disposition to act in a spirit of justice to their employes the strike would have been averted and the treasury of the state would not have become a graft for military officials who are 'bug house' when clothed with the uniform of blue. The militia of the state has been used for the purpose of inciting riot, but with all the infamous schemes concocted by Bell and Brown the strikers have remained unruffled, and have shown to the people of Colorado that they are law-abiding, and that even uniformed ruffians could not goad them to acts of violence. The sheriff of El Paso county has demonstrated that he has been a willing auxiliary in the hands of the mill managers to exagerate the conditions of the situation at Colorado City so that corporations who refuse to arbitrate could secure the militia to perform picket duty at the expense of the state.

"The governor placed more credence in the report of the sheriff, who was completely under the mesmeric influence of MacNeill, than he placed in the statements of hundreds of men who are identified with the welfare and future prosperity of Colorado City. While the sheriff was painting a reign of terror in Colorado City, he found ample time to be the guest of a fashionable club of Colorado Springs, whose members have no sympathy with the physical wrecks whose vitality has been exhausted in paying dividends on watered stock.

"The governor, toward the close of the interview Sunday morning, admitted without any solicitation, that the representatives of the Western Federation of Miners had gone more than three-fourths of the way and had been more than fair in bringing about a settlement and that he would at once issue an order to withdraw the troops. The governor admitted, after his personal investigation of affairs at Colorado City, that he was unable to connect the strikers with any violation of law. In the interview that was held Sunday at the governor's office to arbitrate with Manager MacNeill, the governor receded from his former agreement to withdraw the troops. He asked the representatives of the Western Federation of Miners for a further concession, namely, that he would immediately withdraw the troops providing that the Federation would withdraw all suits against the officers of the state militia. The representatives of the Federation were again magnanimous and accepted the proposition of the governor.

"The governor and attorney general asked that these suits be withdrawn as a personal request, owing to the fact that the office of the attorney general was crowded with business and that no funds were available for engaging special attorneys to defend the military officials. The governor and the attorney general remembered the opinion that was rendered by Rogers, Riddle and Helm during the Leadville strike of 1896, and knew that the legal opinion rendered by this trio of constitutional lawyers would have far-reaching effect on some of the brainless nonenities that are now connected with Colorado's National guard. The governor has violated every syllable and letter of his agreement by sending his private secretary to Colorado City to make a personal investigation and report. The private secretary to the governor, when reaching Colorado Springs, placed himself under the supervision of Bell and Brown, so that his report to the governor would be of such a character as would enable militia grafters to live a little longer on 'easy street' at the expense of the state.

"The action of the governor has shown him to be weak and vacillating, and that he is a man who has no conception of the dignity of his office. The Western Federation of Miners, through its representatives, have used every honorable effort to bridge every chasm, notwithstanding the fact that the 'Mine Owners' Association,' the mill managers, the state militia and even the governor himself have been arrayed against them.

"The governor is now intimating that we promised there would be no strike in the Cripple Creek district. We never made any such promise. It would have been an impossibility for us to make a promise of that character while MacNeill, the 'Baer of Colorado,' refused to recognize the Western Federation of Miners. We gave the governor to understand that we would fight MacNeill to a finish, and under no circumstances could he construe our meaning that a strike would not be declared upon the mines that would ship ore to unfair mills. We have been willing and are now willing to arbitrate with Manager MacNeill. He has refused to arbitrate with us as an organization, and he alone is responsible for the situation that confronts the people of the Cripple Creek district. We have been more than fair, and have gone three-fourths of the way, according to the governor, and we are now willing to place the justice of our cause in the hands of the whole people of the state, and let them be the jury to bring in the verdict."

(Signed) CHARLES MOYER,
President W. F. M.
WILLIAM D. HAYWOOD, Sec.-Treas. W. F. M.

Charles Moyer took his departure for the Cripple Creek district on the afternoon of March 16 to hold a conference with the members of District Union No. 1 as to future action in reference to the Standard mill, whose manager absolutely refused to recognize the Western Federation of Miners or their representatives in the settlement of the strike.

President Moyer, after arriving in the Cripple Creek district, immediately went into conference with the district members, and it was agreed at said conference that the mines that were shipping ore to unfair mills should be requested to refrain from so doing or that the men on such mines would be called out. The conclusion arrived at by the meeting was not put into execution until 4 o'clock in the afternoon of March 17 at the request of a committee of business men who labored with MacNeill for a settlement of the strike. The committee of business men failed to induce MacNeill to accept the terms proposed by the representatives of the Federation, and the ultimatum of District No. 1 went into effect. The following is the list of the mines that were involved:

Mines which granted the request to stop shipping to the Standard mill, and the number of men which remained at work:

Isabella, 100; Vindicator, 200; Mary McKinney, 125; Strong, 75; Gold King, 50; making a total of 550 men employed.

Mines which refused the request of the union to cease shipments to the Standard mill and the number of men called out:

Ajax, 200; Stratton's Independence, 500; Granite, 60; Elkton, 63; Thompson, 40; making a total of 863 called out.

The governor, after receiving telephone communication from his private secretary whom he had dispatched to Colorado City to report on the situation, issued the following order at 7 p. m. March 17:

Denver, March 17, 1903.

Colorado City, Colo.:

Sir—You will immediately recall the troops under your command, now at Colorado City, to their company stations, together with all quartermaster ordinance and commissary stores, the property of this state, and report to the adjutant general. JAMES H. PEABODY,
Governor and Commander-in-Chief.

Sherman Bell, the adjutant general elect, whom Governor Peabody has slated, has been unanimously condemned, not only by members of organized labor, but men in every department of business have covered the hair-brained strutting, burlesque on a soldier with the odium of their contempt. The delegates in the Republican convention that was held recently in Cripple Creek denounced the utterances of Sherman Bell as "idiotic, revolutionary and un-Republican." Resolutions have been passed and forwarded to the state senate demanding that his appointment shall not be confirmed by that body. Blow-hard Bell is a Republican and a resident of the Cripple Creek district and this repudiation by men who know him best should cause the governor to hesitate in placing the state militia in the hands of a man who has proved himself an irresponsible wind bag with nothing to him but "hot air" and feathers.

During the strike at Colorado City, while the commanding officers of the state militia were ignoring the rights and liberties of citizenship, Judge F. W. Owers threw a bomb in the shape of a judicial opinion, that caused the state administration to clip the wings of the verdant captains and colonels whose heads were expanded through self-importance. The legal opinion that was written by Judge Owers and published in the Denver papers, defining military and civil authority, was unanswerable, and the minions who craved to serve their masters were put up against a stone wall. F. W. Owers commands the respect of every laboring man in the state, who recognizes in him one of the highest types of that incorruptible manhood whose unswerving loyalty to justice gives dignity and honor to the judiciary.

March 1, at 9 o'clock in the morning, Camp Peabody passed into history, and the 'boys in blue' had returned to their homes to discard the uniform and become peaceable and law-abiding citizens."—Miners Magazine, April.

On March 31, in order that Manager MacNeill might be placed on trial before the people of the state to see if he would keep his word to the governor's commission, President Charles Moyer, of the W. F. M., acting for the union, declared an armistic until May 18. The news of this armistic was received in the Cripple Creek district with unalloyed enthusiasm by the entire population. Bells were rung, mine whistles were blown, bands of music paraded the streets to the accompaniment of plenty of red fire and fire crackers. The terms of agreement, as stated in the public press, were that the union should be recognized and those who had been discharged reinstated by May 18, an eight-hour clause was also added, but we are all familiar with the terms on which MacNeill agreed to settle at that time.

But as soon as the strike was declared off and the miners of the Cripple Creek district began breaking ore to supply the plants of the U. S. R. & R Co., Mr. MacNeill apparently forgot he ever made any promises to the governor's commission, for he failed to keep the promises he made on March 30, when the armistic was declared and the strike raised. The minimum wage of $2 for outside and $2.65 for inside work had been established in the Portland and Telluride mills, but at the Standard mill the wages was only $1.75 per day. Early in August District Union No. 1 again took up the case with the United States Reduction and Refining company, and endeavored to adjust the differences. They sent a committee to Colorado City and held a conference with Mr. MacNeill, and tried to induce him to pay the same wages as prevailed at the Portland and Telluride mills, and to stop discrimination against members of the union. While Mr. MacNeill received the committee and freely discussed conditions, and even admitted that $1.75 a day was not enough for any man to raise a family on, he postively refused to grant the request of District Union No. 1. After McNeill's answer was received it was decided to call a strike on all mines in the Cripple Creek district that were shipping ore either direct or indirect to any of the plants of the United States Reduction and Refining company.

THE EIGHT-HOUR STRIKE.

The Western Federation of Miners started its fight on these lines Aug. 8. President Moyer of the Western Federation came to the district and held a conference with the district committee of miners. The matter was discussed at length, and the decision reached was to call out all the miners of the Cripple Creek district Monday forenoon of Aug. 10. This was found necessary in order to bring the mills at Colorado City in line on that question and the question of wages in the Standard Reduction company mills. This came as a great disappointment to the business men of the district who had hoped and about concluded that there would be no strike in the mines of the district, but the Federation felt that it needed the assistance of the miners of the district to win the fight and called upon them to take an active part. It was understood that there was no grievance in this district and that the miners here were quite satisfied with conditions but they were obliged, as members of the Western Federation of Miners, to act on the matter.

There were many also who were glad to see the matter come to a square issue, as it was "hanging fire" for some time, and both the business men and the miners were uneasy as to the continuation of the uncertainties that existed for some time. They felt that even the worst was better than the continued suspense. They also felt that it would soon be settled permanently and that the miners would not go to work again until it was settled satisfactory to all. The Globe Smelter at Denver started up on Aug. 8 and had began receiving ore, but was operating with non-union men, which, no doubt. had something to do with the decided action taken at that time. The W. F. M. was well prepared for the fight and had little difficulty in raising the amount of money needed to make the strong fight they have made.

THE CALL.

"All members of the Western Federation of Miners and all employes in and about the mines of the Cripple Creek district are hereby requested to report for work Monday morning, August 10, 1903, except on properties shipping ore to the Economic mill, the Dorcas mill at Florence and the Cyanide mills of the district. By Order District Union No. 1."

The foregoing notice expresses concisely the action taken on the night of Aug. 8 by District Union No. 1 of the Western Federation of Miners, upon the return to the district of the committee which attempted to secure from MacNeill the promise that the Standard mill men should be paid the union scale of wages. During the stay of the committee Mr. MacNeill absolutely ignored all requests of its members, leaving the declaration of a strike at the mines their only alternative. The order embraced all miners in the district except those shipping to the Dorcas and Economic mills or to the cyanide mills situated within the district, and called out fully nine-tenths of the miners employed. The reason given by the committee for an order so sweeping in character was that during the last trouble, when only the known shippers to the Standard were shut down, others evaded the issue by shipping to other points, the ores being afterward re-shipped to the mill which was under the ban. For this reason and for the further reason that the other mills and smelters, with the exception of those named, in the order, it was deemed best to make the strike a general one and to make absolutely certain that no ores from the district should go to the unfair mill

Before the order was issued, when it was not known what Manager MacNeill's attitude would be, the committee discussed the matter in all its phases with President Moyer and members of the executive committee, and the order was the result of the discussion. Its sweeping character and its workings were thoroughly canvassed and it was regarded by all as being the only means to attend the end. The committee on being asked why they had taken the foregoing action said:

"Manager MacNeill's refusal to treat with us left us nothing to do but to order a strike and in so doing we adopted the only plan which promised certain success. In our proposals to him no mention was made of his failure to re-employ men who went out in the former strike, as he had agreed. We confined ourselves strictly to the question as to whether he was willing to pay the union wages demanded by his striking employes, and when he absolutely refused to do so or to recognize us in any way, our mission was ended."

It was confidently believed and predicted at that date by labor leaders, and hoped by all, that the strike would be of very short duration, though the Federation even at that time stated that they were in every way prepared for a long hard fight if necessary. They considered the question thoroughly before they took the action, and would not have ordered the strike had they not been fully prepared. A prominent official said on being interviewed Aug. 8:

"While the strike just ordered is directed primarily at the unfair Standard mill, it may be regarded as but the precourser of a fight all along the line for an eight-hour day. For months the Federation has been gathering funds from its members and from the friends of unionism all over the globe for such a fight, and it is now determined that the eight-hour day shall prevail throughout its jurisdiction. Should the fight be now precipitated and should extreme measures be necessary, it would not surprise me to see the miners throughout the entire state called out. Such a course would tie up everything in the state, but it would soon bring the enemies of labor to their senses. In the states where eight-hour laws now exist we are, through our attorneys, working for their enforcement, and in states where there are no laws, we are trying to bring about the eight-hour day through our unions. It will not be long until we are entirely successful in both instances."

In Victor when it was known postively that the long talked of strike was at our door at last, it was the one topic of conversation. Little crowds gathered here and there and everywhere and discussed the situation. News of the order to be issued was received in Victor during the afternoon of Aug. 8, and by night it had spread far and near and almost every one knew it. While the necessity for a strike was generally regretted, sentiment, too, was almost unanimously with the miners in their fight for living wages for their fellowmen.

The position taken by the mine owners of this district in the controversy up to Aug. 10 was not known. There was at that time various rumors, but nothing authentic. Several articles appeared in the Denver and Colorado Springs papers to the effect that the mine owners had planned a lockout to take effect on Aug. 10, as a means of forestalling any action on the part of the miners. Upon inquiry it was found that there was nothing to base the reports published at that time.

August 11 found the strike in full swing, men at Independence, Ajax, Findley, Vindicatior and a score of others had responded to the call and quit work. The Portland at this time was still working, pending a conference to be held the following morning. President Burns was in the district and felt confident that the Portland would not be put under the ban. The committee in charge of the strike held a conference with Mr. Burns August 10, and while no decisive action was taken, it was agreed that the men should continue work at the mine until another meeting should be held August 11, and some course of action decided upon.

President Moyer, of the Western Federation, was in the district giving the strike his personal attention, and on being questioned on the night of August 10, said:

"There seems to be no reason for a prolonged struggle, as the Standard mill matter is a small one which should be easily adjusted. It was simply a demand of the union men of this district that their brethern of Colorado City should be paid fair and living wages."

Mr. Moyer expressed himself as being entirely satisfied with the work of the committee here and with the progress being made at this time.

President Moyer and President Sullivan of the State Federation of Labor, spent several days in the district in consultation with the local leaders. Mr. Moyer seemed to share the general view that the trouble would be of short duration, and said that the matter was too small to occasion a prolonged struggle. With Mr. Sullivan, however, he insisted that the union men of Colorado City should be supported in their fight for fair wages and said he would use the entire power of his organization and organized labor in general to attain that end.

THE WOODS PROPERTIES.

The Woods properties which ship to the Economic mills were not affected by the strike order, and were working as usual. The Deadwood, employing a small force of men, was closed down Aug 10, but from reasons entirely foreign from the strike. The Gold Coin and the other properties maintained the force employed.

All day Aug. 10 and 11 and until late at night the strike was the sole topic of conversation on the streets. The general view seemed to be a hopeful one—a view which was encouraged by the reports from the railroads that no unusual number of tickets to outside points were being sold. A special effort was made by union officials and union men to avoid friction or trouble of any kind, and the first day of the strike passed quietly without a disturbance. Sheriff Robertson was in Victor Aug. 10 and said: "Aside from the unusual number of men on the streets he encountered nothing in his rounds in the district which would excite even the slightest apprehension."

Manager Cornish, of the Independence, that was shut down Aug. 10, by reason of the strike said:

"He did not know what his company would do should the strike continue longer than a few days. That the mine had been employing about 500 men and should he receive orders to resume work with a strike on he could hardly hope to resume with anything like that number. It would be less expensive to remain closed down than to resume with a fraction of the regular force. For that reason I do not expect an order to resume."

In making its clean-up preparatory to closing down, the Independence broke all records Aug. 9. More than 500 cars of ore were hoisted and ten trammers were kept on the run on top all day. After the men at the drainage tunnel were called out, Superintendent Bainbridge of the El Paso, announced to newspaper men that the tunnel would be pushed to completion even if he and other officers of the company were obliged to don overalls and run the machines themselves.

Mine owners and mine managers at that time, with the exception of the few quoted, were charry about saying anything for publication. No intimation was given out as to their probable course in the event of a prolonged strike, and no notice of a meeting to consider the matter had been issued. Governor Peabody even so early in the strike as Aug. 11 said: "If an emergency arises I shall be prompt to order out the troops in the Cripple Creek district." He said, however, that he did not apprehend trouble from the striking miners.

It was said at that time that the governor had determined not to move hastily this time, as in the case of the Colorado City strike, and that he would not send troops into the Cripple Creek district until there was a general demand for them. Manager MacNeill was in the district on Aug. 11 viewing his work. He, however, declined to be interviewed, and refused to answer any and all questions as to the object of his visit.

August 12 found the tie up in the Cripple Creek district complete. The committee was able by that time to reach the mines that they had not been able to visit before. The reader will at once understand that it would be utterly impossible to visit every mine in the district in less than forty-eight hours, but as fast as it could be attended to the men were called out, with the result that on Aug. 12 the El Paso, Golden Cycle, Last Dollar, Modoc, and all that had not been visited at that date walked out. There was hardly a break in the ranks of the Western Federation of Miners to obey the call. The committee and Mr. Burns, president of the Portland, through a false report that had been circulated, failed to come to satisfactory terms to both sides and the 550 men on the Portland were also called out. Mr. Burns addressed the men reciting his long friendship for them and for organized labor. The men listened respectfully and attentively. But as the committee and Mr. Burns had failed to agree at that time, they went out as ordered to a man. Thus it will be seen that the great industry of the district at the above date was practically at a standstill with the exception of the Woods properties, who at that time were considered fair. By evening of Aug. 12 there was at least 3,000 men out. C. G. Kennison, president of No. 40, and chairman of the strike committee, said on the night of Aug. 12 that things were progressing nicely and satisfactory to the committee. He and the local officers were busy all day handling the details of the strike. Mr. Kennison stated on that date that: "ever since the first declaration of the strike the secretaries of the different unions of the district had been kept busy writing receipts for union dues. The announcement of trouble was a forcible reminder to the men that they should see to it that they were in good standing with their unions, and at no time in the history of the district had the payments been so prompt and so large."

Along about August 12 or 13 a meeting of the mine owners and mill managers was held in Victor and was attended by representatives of nearly every property in the district. The existing conditions were discussed at length, but no announcement was made at that date of any decisive action having been taken. A committee was appointed to act for the mine owners in all matters pertaining to the strike.

Aug. 14, 1903, the following article or statement was published by the Mine Owners Association:

"A general strike has been called on the mines of the Cripple Creek district by the executive heads of the Western Federation of miners. At the time this strike was called and, infact, ever since the settlement of the labor difficulties of 1894, the most entire harmony and good will has prevailed between the employers and the employed in this district. Wages and hours of labor have been satisfactory and according to union standards, and general labor conditions have been all that could be wished.

"Notwithstanding all this, the heads of the Western Federation have seen fit to compel the cessation of all labor in the district, not because of any grievance of their own against the Cripple Creek operators, but for reasons entirely beyond our control. A no more arbitrary and unjustifiable action mars the annals of organized labor, and we denounce it as an outrage against both the employers and the employed.

"The fact that there are no grievances to adjust and no unsatisfactory conditions to remedy leaves the mine operators but one alternative, and that alternative they propose to adopt fearlessly. As fast as men can be secured, our mining operations will be resumed, under former conditions, preference being given to former employes, and all men applying for work will be protected to the last degree.

"In this effort to restore the happy conditions which have existed so long, we ask and confidently count on the co-operation and support of all our former employes, who do not approve the methods adopted, as well as of the business men of the district, who are equal sufferers with us.

"In the resumption of operation, preference will be given to former employes, as before stated, and those desiring to resume their old positions are requested to furnish their names to their respective mines at an early date." The foregoing was signed by about thirty properties.

The Mine Owners' statement was issued after a conference of the committee appointed at the meeting of the day before and occasioned much comment. The committee was composed of William Bainbridge, of the El Paso, chairman; Samuel Bernard, of the Elkton; J. S. Murphy, of the Findley; Charles Waldon, of the Last Dollar; Thomas Cornish, of the Independence; C. C. Hamlin and A. E. Carlton.

Just what the mine owners expected to gain by the foregoing statement is hard to understand. Surely they did not expect that organized labor was going to be misled by it in any respect. Their statement would indicate that the Western Federation was composed only of the miners in this district; that it began and ended here. They forgot during the time of writing their statement, that the Western Federation of Miners has hundreds of members outside of the state of Colorado as well as in it. There would be just as much folly in the miners of this district going it alone as it would for the mine owners of one of these hills, exclusive of a united organization such as they have here now, making their fight alone. The Western Federation of Miners extends beyond this district and when its members need help at Colorado City, or any where else, it is the duty of the members here to go to their assistance, and the mine owners know that as well as they know that there is an organization. The members of the Federation at Colorado City were entitled to just as much protection there as they are here or elsewhere and there was, therefore, no mystery about the strike that needed any explanation to the people of the Cripple Creek district, although an effort was made by outside newspapers to create that impression. Up to Aug. 15, the Mine Owners had held two meetings in Victor, at least, they held one and their committee another. Does any one propose to claim that if they had devoted the same length of time with Charles MacNeill that they would not have succeeded in causing him to meet the wages of his competitors at Colorado City? What was the difference between the fight that began in August and the one that was made last spring? It was the same identical fight with the exception that we had the failure of Mr. MacNeill to keep his former promise with the Federation in restoring men and paying wages.

There is not a man owning a business or working for wages in the Cripple Creek district who could have afforded to see the miners defeated in the fight. The business firms of this district have prospered because organized labor made it a $3-a-day camp and not because of the mine owners' generosity. The worst enemies the miners had in the fight were men that were constantly endeavoring to create the impression that the miners were ready and willing to go back to work without regard for the principle for which they were fighting.

The mine owners operating in the district are well posted on the loyalty of union men to their cause and they surely knew from their own experience there was not the least probability that they would return to work in answer to the communication issued by them Aug. 14. The men that tried to create that impression were members of firms that were seeking the mine owner's patronage. The mine owner's statement is the usual corporate appeal to union strikers when making a stand for justice, or fair conditions to renounce their union, (the only protection that the wage earner has under the present system of corporate rule) and return to work under armed protection of the professional deputy thugs and corporation vassals. It is needless to say that the union man stood firm and true to his obligation and hurled back in the face of the would-be bribers, the offer to sell his manhood for corporation gold. The position taken by the Mine Owners' Association, that the strike was a sympathetic one, is known to all, whether members of the Federation or not, to be untrue and only those who had given little or no thought would give publication over their signature to such shallow argument. There was no disposition on the part of the membership of the Western Federation of Miners, or the District No. 1 to depreciate the spirit of fairness shown by some mine operators of the district in the past, and they held only the kindest regard for them. But the Mine Owners' Association in their statement would have the members of organized labor, as well as the public believe that they, the miners, were being coerced by their officers to take part in an unjust and unreasonable strike. This, however, was too flimsy to be taken seriously, by any members of the W. F. of M.

The operators knew full well that the rank and file of the Federation had and have implicit confidence and were and are yet in perfect accord with the action of the officers whom they elected, and whose duty it was to manage the details of the strike, and stood as a unit in carrying out the policy of the organization, in their efforts to establish living conditions, not only in the mines but in the mills and smelters, and to maintain the rights to belong to labor organizations, without endangering the chance of making an honest living.

Aug. 14 the Victor Daily Record become the official organ of the Western Federation of Miners. From that date it contained several columns of information concerning conditions of the strike over the signature of the executive committee of District Union No. 1. In this manner there was given out daily all official news in the district concerning all matters pertaining to the strike. This was a great move on the part of the executive committee. The Record had at that time the largest circulation of any paper in the district and from that date until the present writing the circulation has grown larger continually until it has an enormous subscription list in the district, more than both the other daily papers together.

The Record's policy on labor questions needs no explanation to my readers. It has always consistently stood by the laboring men, for it believes that in their success lies the success of the business men and all people interested in the welfare of this district. At the time the Record became the official organ of organized labor, labor was fighting for an eight-hour day and for reasonable wages in the mills. That was something that the people of the state of Colorado had said by a majority of 40,000 votes that they wanted and they pledged their representatives in the legislature to give such a day by statute of the people.

If the reader will go back a few years, or to '98, we will find the legislature elected in '98 which convened early in '99 passed an eight hour law. It will be remembered that Thomas was the governor at that time (Democrat) and Cary lieutenant governor. There was a strong labor constituency in the legislature of 1899, among whom as legislators was James Gaughan, of Cripple Creek, and W. S. Montgomery, lawyer, now of Denver. As will also be remembered, the supreme court later declared the law unconstitutional. But the laboring people did not give up the matter of making an eight hour law at this, but at once put a move on foot to send legislators to the legislature to frame an amendment to the constitution, thereby making possible the creation of an eight-hour law. This was accomplished. In 1900 the amendment was framed, which was one of six others. Orman was at that time governor and Coates lieutenant governor. The amendment was put before the people and although a Republican ticket was elected, the people of the state declared themselves in favor of the eight-hour law by the astonishing majority of 40,000.

All residents in this state know the history of the attempt to pass such a law in the Fourteenth General assembly and they realize that there is no hopes for such a measure, at least, until another legislature is elected and possibly then the law passed would be tied up in the courts for an indefinite length of time. There is, therefore, no opportunity for an eight-hour day except through the force of organization, and such was the purpose of the strike in the Cripple Creek district, an eight-hour day and reasonable wages in the mills treating the ore mined here.

About Aug. 13 the rumor to the effect that the merchants of the district were going on a strictly cash basis was confirmed by the majority of the grocers refusing to supply their regular customers as usual. This came as an unexpected blow to the miners, as pay day was but two or three days past and many had turned over to the business men the greater part, if not all, of their cash, with the expectation and in many cases the promise, of being carried another month as usual. There were some exceptions but they were very few.

The miners met this announcement by at once starting a move to organize a co-operative union store. Or at least, the Maccabees first started the movement which was carried out in a few weeks by the unions. No. 32 and Engineers No. 80, W. F. M., being entitled to the credit of the plan being carried out, in the establishment of union stores in Cripple Creek, Anaconda, and Victor, and at the present writing arrangements were being made for one at Goldfield. The stores were soon a settled fact and from the day they opened until the present time the stock has been increased and additional help added. The trade from the first start was more than could be conveniently handled. The management is made up of men "union to the heart," courteous and in every way gentlemen. In brief, the union stores have been and are yet more than a success, and have proven a great competition for the grocers that refused to carry the families that had paid them almost a fortune in the past for groceries and other household supplies. The ease with which all arrangements were made to start and maintain these stores and the great saving that has and will accrue therefrom, leads union men to think that the action of the business men in cutting off the credit to their customers was a blessing in disguise, and they owe the business men a vote of thanks for teaching them this lesson of self reliance in time of trouble.

Aug. 15, the miners' unions gave a big picnic at Pinnacle park, which was attended by a multitude. Regardless of the fact that thousands were out of employment at the time, everybody seemed to thoroughly enjoy the day. President Moyer, of the Western Federation, John C. Sullivan, president Colorado State Federation of Labor, William D. Haywood, secretary-treasurer of the Western Federation of Miners, and D. C. Copley, member of the executive board of the Western Federation and other prominent labor leaders attended the picnic and made addresses.

Mr. J. C. Sullivan was first introduced to the audience and said in part after excoriating the business men for their action in declaring no more credit would be given their customers so soon after the strike was called:

"The business man is prosperous with the money he puts in his till received from the miner, but immediately upon the first cloud of trouble showing on the horizon, he cuts the miners off without notice, at the behests of mine managers. Are they worthy of any consideration at the hands of the miner? Would it not have been better if the business men had said to the men who had traded with them and paid their bills for years to have said to their customers: 'Our finances will not permit us to carry you, but we will sell you goods at cost price for cash.'" After paying his respects to the Citizens' Alliances and Pinkerton thugs he closed with the remarks that "it is time the laboring men thought about more than wages and hours."

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President Moyer, of the Western Federation, was the next speaker. He was greeted with prolonged applause. President Moyer said in part:

"The responsibility for the present conditions has been laid by most of the newspapers at my door. I wish to say that I am ready at this time to assume any responsibility in a fight for humanity and living conditions for the miners of the Cripple Creek district. All I ask is that the other people in the state, who are responsible for the present conditions in this district shall be saddled with like responsibility. The facts are that the legislature of 1899 passed an eight-hour bill, the supreme court declared it class legislation and declared it unconstitutional. Notwithstanding this the representatives of organized labor went before the men who were working twelve hours in the smelters and urged them to wait and a future legislature would do something for them. The eight-hour constitutional amendment was carried by 40,000 majority, 70,000 votes being cast for the amendment. The Fourteenth Colorado legislature went into session pledged to the enactment of an eight-hour day. The representatives of the mill and smelter trusts went into session with them. The result was no law was passed. Upon this legislature I place the responsibility of the present trouble. Had this legislature performed its duty there would now be no strike in the Cripple Creek district.

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"A small per cent of the press has been clamoring that this is a sympathetic strike. This I most emphatically deny! It is a strike of the Western Federation of Miners. The mill men are part of the Federation, and to deny them support at this time is the same as denying one of the unions here support should it be attacked by a corporation. The men have pledged themselves to support their brothers of the Federation and they will do it." (Loud applause.) President Moyer then stated that the strike was part of a plan to disrupt organized labor in this state. The first part of the plot being the calling out of the militia without provocation by the governor, and he lays the responsibility of the Cripple Creek strike at the door of the governor on account of the militia being sent to Colorado City in the spring of 1903.

Mr. Moyer closed his address with a strong appeal to the men not to commit any violence of any kind. Saying, to do so would be to play into the hands of the mine owners. He received an ovation when he finished his remarks.

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The next speaker introduced was William D. Haywood, secretary-treasurer of the Western Federation of Miners, who addressed the audience in part as follows: "Ladies and Gentlemen, Brothers of the Western Federation of Miners, Members of the Citizens Alliance, Members of the Mine Owners Association, and Pinkerton Detectives."

He said he desired to include all, as he knew all were in the audience and he mentioned the latter as he held them responsible for the strike.

"The Federation was born by oppression of the mine owners, which had sometimes been worse than the Spanish Inquisition. The Federation has now more thousands of members than it had hundreds in 1893, having at this time 207 affiliated unions. Popular government gave us 70,000 votes for an eight-hour law, but the corporations spent $50,000 to defeat it and before the fight for an eight-hour law is over the mill and smelter trust will be sick of its bargain. The laws of Colorado are good enough for a union man, but they are not good enough for the corporations, else they would not spend a fortune to corrupt every legislature that is elected.."

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Mr. Haywood ridiculed the statement of the mine owners that they would start the mines if they had to work themselves. He said the miners would give them their cast off overalls to work in. The statement of the mine owners that affairs in this district had been all that was asked for since 1894, Mr. Haywood denied. He said discrimination had been practiced against the union miners on the Strong, Ajax, El Paso, Gold King and other mines, that the owners had never lived up to their agreement made at that time. He cited the union conditions that existed in some union camps where all union men are employed. Why, he asked, cannot the same conditions prevail here? He illustrated his remarks with several humorous stories that fit the cases and concluded with an earnest appeal to the miners to be loyal to the organization "which is the only friend you have against corporate oppression." He was loudly applauded.

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W. F. Davis, president of Free Coinage Miners' Union No. 19, and a member of the committee of District Union No. 1, was next introduced. Mr. Davis was one of the committee who waited upon Mr. MacNeill at Colorado Springs, before the strike was called. He said Mr. MacNeill had stated that he (MacNeill) though eight hours was long enough for any man to work in a mill or smelter and that $1.80 was not enough for a single man to live on, saying nothing of married men. MacNeill, said however, that he could do nothing for the committee, as his company would not permit it.

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Mr. D. C. Copley, member of the executive board of the Western Federation of Miners, was the last speaker. He said in part:

"I have been a resident of this district for the past eight years and can, therefore, sympathize with the men in this strike. The strike is being managed by the men whom the miners have elected for that purpose. All could not manage the details. That must be left to a few to attend to. Those few were chosen by the men themselves and it is the duty of every member to stand by them at this time. I am confident that the men I have known for the past eight years will not go back on the Federation and all that is necessary to be done is for the men to stand shoulder to shoulder and we will win the victory."

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I would be glad to give each address verbatim, but space will not permit. The talks by all were good and to the point.

August 17, the beginning of the second week of the strike opened very quietly. It had been rumored that a number of mines intended starting up on Monday of the second week. However, no men attempted to go to work on any of the mines where the men had been called off or at the drainage tunnel. It was understood that several tools of the corporations, at that time had been endeavoring to hire men to "scab" on the properties, but the parties were carefully watched and their efforts were in vain. There was no trouble of any kind, everything around the mines being quiet. The city of Victor was never known to be so quiet, as it was during the first three weeks of the strike. There was absolutely "nothing doing." Groups of union miners stood about on the corners, in the sunshine, laughing, talking, joking each other good naturedly, telling experiences of past strikes and troubles. As far as business was concerned, the last of August found business practically at a standstill.

The El Paso mine management, being the most aggressive in the fight against organized labor, by indefatiguable efforts secured enough men, composed of a few deserters from the union ranks, inexperienced men, men unfamiliar with the strike situation, and men gathered from the too large ranks of hangers-on of various resorts, whose debt to humanity and the welfare of a community consists of the vapid and rancorous plea "the world owes me a living without hard work," inclusive of a few reform school graduates, by August 20 announced they would commence work.

Among the distinguished members that was employed on the El Paso were to be found such celebrities in the criminal history of the state as the Gibson brothers, who had just returned from a sojourn in the state's institution at Canon City for wholesale robbery and holdups. They had been residents of Canon City (against their will) for five years and returned on parole to help break the strike. Another gentleman (?) with a criminal record that was of invaluable service to the association was Frank Vannick, who has also served the state with distinguished dishonor to himself at Canon City, and was also at large on parole. (The reader will learn more of Vannick before my story ends.) Dumps Benton, Esq., the man who killed George Potts, is still another in the galaxy of notables that was engaged to guard the slopes of Beacon hill against a mythical foe that existed only in the putrid imagination of a few prejudiced and misguided men.

The El Paso fiasco was the first blot upon the history of the strike.

The first work of the men I have mentioned as employed on the El Paso was to build a fence around the property. It was said the men were formerly employed on the Gold King mine. It was also said, by people in position to know, that in order to get even that class of men to work, the El Paso company paid them at the rate of $1.00 an hour. The first twelve non-union men were guarded by seventeen imported men, worse, if possible, than the ones employed to build the fence. The guards carried rifles and upon inquiry at the sheriff's office it was found that none of the men had been deputized to carry arms, and were doing so and holding up people whose business caused them to pass by the mine, in open violation of the law.

It is a sad commentary on human nature that there is always some parodys for men who are ready and willing to sell themselves for gold.

From the date given, when the first non-union men began the work of building a fence at the El Paso, until the completion of the tunnel, there was enacted at the mine many disgraceful scenes of lawlessness. Guards at the mine had fights among themselves; insulted passers-by; stopped respectable people that had business to pass that way, at the point of rifles. They were, it was said, caught stealing. They made indecent exposures before innocent children; for which some of the men employed were arrested. The home of Mr. Dennison, a union miner, was destroyed by incendiaries on the night of Sept. 2, and while it was not proved postively that it was the work of the El Paso crew, evidence was strong against them. If they did not actually light the fire that destroyed the property, they, at least, made plain the fact that they were glad to see Mr. Dennison and family made homeless. While the house was in flames and the work of saving some of the household goods was in progress, the guards stood by and laughed and jeered. They did not offer to assist the unfortunate people. For that reason, I say if they were not instrumental in the burning of the building, at any rate, they made no secret of their joy at the sight of Dennison's home being in flames.

It was good union men who had made it possible for these men to enjoy the benefits of union hours and wages without contributing to bring them about. The English language does not contain expletives sufficiently strong to express the contempt felt by all true men and women for such persons. The history of the world proves that all momentous occasions has produced their heroes and traitors. The American revolution gave us a Washington and a Benedict Arnold. The Benedict Arnolds had appeared so early in the fight, and as the fight went on there were others appeared on the field of battle.

Along about Aug. 21 there was brought to light a dastardly plot to blow up the El Paso. Fortunately the plot was reported to the executive committee of District Union No. 1 in ample time, which, upon investigation, found that no guards had been posted at shaft house No. 2, and this, coupled with other suspicious circumstances, caused them to promptly notify Sheriff Robertson of the facts in the case, and the necessary measures were taken by him to stop the commission of the dastardly outrage.

CHARLES MOYER, PRESIDENT W. F. OF M.

Constant vigilance was displayed by the executive committee of District Union No. 1 to see that no overt act of any kind should be committed by the strikers, that no chance should be given the mine owners for a pretext for a call for the troops from a too willing tool they had in the present governor of the state.

It is claimed that on the evening of August 19 the executive committee received information of a "job" put up by the Mine Owners' association to destroy some of their own property and thus have the needed excuse for a call for troops. The diabolical crime proposed, as reported to District Union No. 1, was for the shaft house No. 2 of the El Paso to be blown up by some of the leading members of the association, and, of course, the the union men were to be charged with the crime.

The foregoing rumor and a few similar reports were the only incidents of interest at that date. There were many rumors of all kinds of mines that were to start up and of men working here or there, but when investigated it was found there were no mines ready to resume. With the exception of the men on the El Paso, there were no mines that the strike affected working at that time. The city council met on the night of August 20 and dispensed with one of the city's regular policemen. As I have just stated the next thing of any interest to the reader that occurred was on August 22, when there was a settlement brought about between the executive committee and the Portland management.

PORTLAND SETTLEMENT.

There was a meeting arranged between Mr. Burns and John Harper and Dan Griffis, of Miners' Union No. 32. These gentlemen met Mr. Burns at the Portland by appointment August 21 and discussed differences. Before these gentlemen left Mr. Burns invited President Charles Moyer, of the Western Federation, Sherman Parker, Dan Griffis and John Harper to dine with him at the mine the following day, August 22. President Moyer and Mr. Parker did so. Before the dinner was over an agreement was entered into by which the great Portland was declared fair. Mr. Burns was willing to ask the men to join the union and willing that the secretary of the union go on the property at any time. There was practically no contention between Mr. Burns and the committee, they simply came to an understanding.

As soon as the settlement was announced the Portland whistle blew sending forth the announcement of the glad news.

The whole city went into a state of jubilee. Extra editions of daily papers were gotten out and the glad tidings spread quickly over the district. Everybody rejoiced. Mr. Moyer was in the district and left the following night perfectly happy. He stated on being interviewed on that date that he thought the settlement of the Portland difficulty was a great step toward the final settlement by the mines of the entire district.

Had a vote been taken at that date (or at any date for that matter) upon who was the most popular man in the Cripple Creek district, James F. Burns, of the Portland company, would easily have been the winner. His broad and liberal policy has endeared him not only to the miners, but to all the residents of this community. What a contrast exists between this man and the average member of the inner circle of the Mine Owners' association!

The following poem was written by Mr. William McCormick upon the announcement of the stand taken by Mr. Burns toward organized labor in the strike of 1903:

HERE'S TO YOU, JIM.

Here's to you Jim, you've proved a friend,
Our grateful thanks we owe you,
We're pleased to see this trouble end,
And better now we know you.
A gentleman—you've met us fair,
In friendly consultation;
Who merits and receives our share
Of warmest approbation.

Here's to you Jim, if in the past
There's been misunderstanding;
The stormiest voyage ends at last
With greater joy on landing.
When murky clouds obscure the sky
The lightning flash can clear it;
When to the rocks the ship is nigh,
Some skillful hand must steer it.

Here's to you Jim, you did not need
The aid of thugs with rifles,
Though well you know we never heed
Such unimportant trifles.
But you're the "hero of the hour,"
(I read that in the papers)
Oh, if you had the governor's power,
You would soon stop these capers.

Here's to you Jim, in sparkling wine,
Or if you wish it—water,
A humble, homely muse is mine,
That never aims to flatter;
But still we wish some we could name
From you would take a lesson,
The "Overall Brigade" looks tame,
With aye a Sunday dress on.

Here's to you Jim, the best of luck
We hope will still attend you,
Be sure we will not see you stuck
For aught we can befriend you.
You've stood by us, we'll stand by you,
No more a fence divides us,
So here's to Burns, mine mill and crew
Until the green sod hides us.

Mr. Burns wants good miners to work for him and is willing to pay them good wages, and not only is he willing to pay the miners good wages, but he also pays good wages to his millmen at Colorado City. He is making good money out of the Portland mine. He is also willing that the men, whose labor brings him prosperity shall share it. This shows him to be a broad-gauge man, one who will always be remembered by the miners with honor and respect.

Contrast the Portland and its management with the scenes I have already given on the El Paso.

The United States Reduction and Refining company are well able to pay the same scale of wages as is paid by Mr. Burns at the Portland mill and if the Mine Owners' Association had told them so in unmistakeable language and informed this mill that it would receive no more ore from their mines until the union wage scale was paid, the whole trouble and strike would have been settled at the very beginning of the strife.

Everybody expressed themselves as greatly pleased at the starting up of the Portland. Mr. Burns met with an ovation everywhere. He left on the Short Line late in the afternoon after the settlement and there was a crowd of 500 union miners at the depot to see him off. The miners cheered him heartily as the train pulled out. He tipped his hat and smiled in reply.

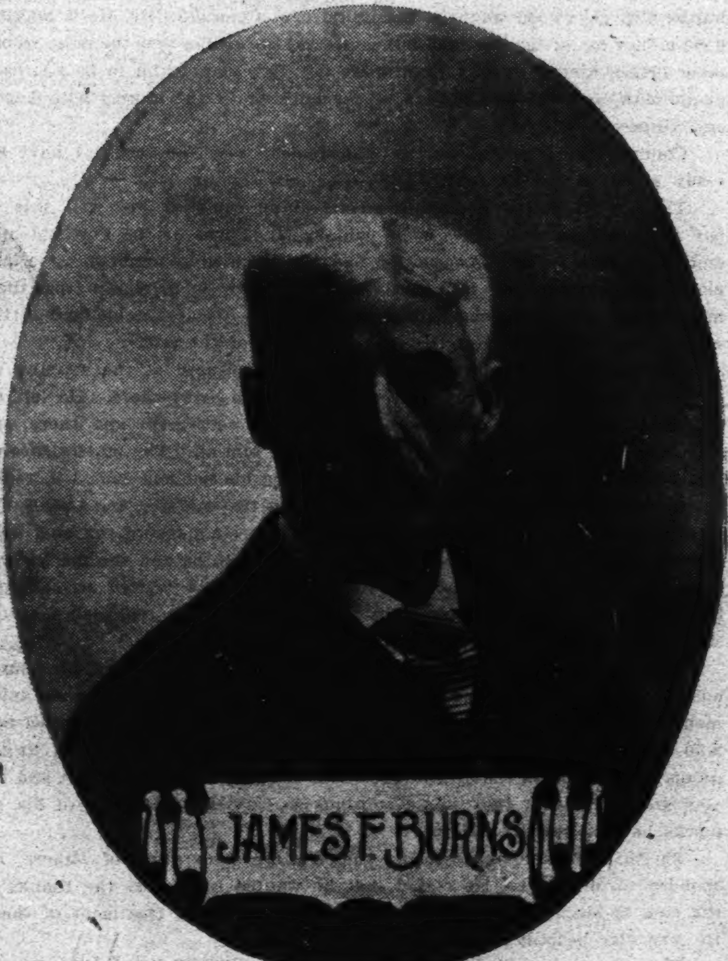
On the night of August 26 the first shift of two hundred and twenty-five men were put on. There was a little difficulty over a record the men were asked to sign, but the strike committee met Mr. Burns and the matter was soon adjusted. Mr. Burns changed the record to be signed to suit the committee, and in every case more than complied with the wishes of the Western Federation.

At the mine that evening, when the men reported for work, Mr. Burns addressed them, stating that it was "very evident that they were good union men or they would not have gone down the hill when they were called out. And hoped that they would pay up their dues and continue loyal to the union." He spoke of the pleasant relations between the management and the men and hoped that they would continue so. At the conclusion of his remarks he was heartily cheered.

Sherman Parker, representing the Western Federation of Miners, responded to Mr. Burns. He stated that he wanted to express the thanks of the men to Mr. Burns for his courteous and reasonable treatment of them. He was also heartily cheered.

The men took their stations and the biggest gold mine in the Cripple Creek district was soon running full blast and is a union mine.

The Portland in a few days had all its old men back, consisting of 575 of the best miners in the Cripple Creek district. The writer is willing to



JAMES F. BURNS

confess to a feeling of partiality for the Portland.

The general public experienced a belief that the starting of the Portland with all union men would have a great influence on the mine owners. It was expected at that time that the other mines would soon fall in line and at once settle all differences existing. But the strikers soon found to the contrary. Mr. Burns was so kind as to write the following statement upon request. He plainly defines his feeling toward organized labor over his own signature:

Colorado Springs, Colo., November 14, 1903.

Mrs. Emma F. Langdon, Victor, Colorado.

Dear Madam:

Agreeable to your request that I furnish a statement of the position of the management of the Portland mine during the labor troubles of '94 as well as during those of the present year for your "History of the Cripple Creek District," I take pleasure in submitting briefly as follows:

During the time of what was known as the "Bull Hill" war, or more correctly speaking the labor troubles of 1894, the Portland was working about 125 men, while the principal officers and stockholders—including myself—lived at the mine and were in the closest possible touch with all employes, knowing each one personally. During the time that trouble existed elsewhere in the district everything went smoothly at the Portland. We had been paying $3.25 per shift of nine hours, which permitted the working of only two shifts. We promptly made a new scale of $3.00 for eight hours which was accepted by the union and three instead of two shifts were put to work. Our mine was the only one of any consequence to operate continuously during this strike and the scale then adopted has governed ever since.

The strike of the present year was called in support of the mill strike then on in Colorado City, and through a wrong impression on the part of the unions that the Portland was shipping to an "unfair mill" the men were called out on our property as well as the others. But upon their learning their mistake the matter was soon adjusted putting more than 500 men back to work.

Aside from a kindly feeling that every humane employer must naturally have for his employes, we have always looked upon these matters as a strictly business proposition.

The employee goes into the labor market to sell his labor, and as employers desiring to buy this labor we have always been willing to treat with him individually or with any person or concern he may appoint as his agent, whether it be union or otherwise. Always recognizing that labor has an equal right with capital to organize or combine; we feel that we have no more right to dictate whether or not our employes belong to a union than we have to dictate whether or not they belong to some church. What we desire is efficiency in the labor we employ and we know we have it to a higher degree in the present union force than could be obtained from any new set of men until after they had been schooled for a long time in our employ. Therefore we are content, and believe we have at the mine and mill about 700 of the best men in the Rocky Mountains.

I Remain, Yours Very Truly,
JAMES F. BURNS,
President of the Portland Gold Mining Company.

I will ask the reader to go with me for a short time and we will leave the Cripple Creek district for a few moments and make a trip to Idaho Springs. It may seem just a little foreign at first to the reader, but I think there are several points pertaining to law and lawlessness in that case too good to omit from my little story of labor troubles. The destruction of the Sun and Moon property and the action of the sheriff of Clear Creek county, the "Citizens' Protective league," and the part Judge Owers played in the game attracted widespread attention. I am sure there was not one loyal union man in the state that did not deplore the destruction of the Sun and Moon property at Idaho Springs, and would like to see the person or persons who perpetrated so dastardly a crime punished to the fullest extent of the law. And yet the W. F. of M. was condemned at once for this crime and their officers and members at once dragged from their homes and families.

It will be remembered that in the latter part of July, 1903, after the destruction of the Sun and Moon property by unknown persons, the sheriff of Clear Creek county, biased in his judgment by his prejudice against labor unions, showed by his action in arresting innocent men, peaceable and law-abiding citizens of Idaho Springs, dragging them from their beds at night and next day turning them over to a band of capitalistic anarchists known as the "Citizens' Protective league," that his only reason for such arrest was that they were members of the W. F. of M. If, even supposing they were guilty of the crime, why did he not hold them in jail until they were tried by the proper court as provided by the laws of the state of Colorado, and let the law take the proper course? The sheriff's action at that time was denounced everywhere. There were few unions that failed to have printed resolutions condemning the outrageous action of the sheriff in turning over to the "Citizens' Protective league" these men who were "innocent" at least, "until proven guilty."

It will also be remembered that the action of the so-called "Citizens' Protective league" was roundly scored for usurping the functions of the properly constituted authorities of the county of Clear Creek, and becoming a law unto themselves, without even the formality of a trial; have exiled, a la Czar of Russia, several of the old-time residents of that city; men of family and property holders, who had always merited and had the respect and confidence of their fellow citizens in that community.

Judge Owers, as soon as he could do so, issued an injunction against every member of the "Citizens' Protective league" restraining them from in any way interfering with the eighteen members of the Idaho Springs Miners' union, who were driven out of town just after the blowing up of the compressor of the Sun and Moon mine.

Immediately after the issuance of the restraining order the attorney representing the eighteen miners and the Western Federation of Miners offered criminal complaints against the members of the "Citizens' Protective League of Idaho Springs." Warrants against each of them were issued and the sheriff was instructed to arrest all of them and instruct each one to appear before District Judge Frank Owers at Georgetown. In issuing the order Judge Owers said, August 10:

"This complaint states nothing but that which is a right of every citizen of the land, the right to attend to his business and stay at home if he desires. The restraining order must be granted."

In brief I will state, it is said that before the night of August 11 there were forty-one citizens prisoners, all arrested under warrants issued by Judge Owers. It was said that among the number arrested were some of the most wealthy and prominent citizens of Idaho Springs, the president of the First National bank, cashiers of banks and other prominent business men; infact, the judge in issuing the warrants was no respecter of the positions the men held. Every man suspected of being implicated in the the disgraceful affair was placed under arrest.

Judge Owers claims: "that officers of the law should ever be overpowered by a mob is a shame to any community that claims to be civilized. The action of the Idaho Springs mob—I take pains to use the accurate term—in running out of town with threats of violence, the officials of the miners' union was sheer anarchy, an outrageous violation of rights guaranteed by the constitution to the humblest person."

The stand taken by Judge Owers created a great sensation. Much was said and written on both sides of the question. Sermons were preached in Denver and other cities upholding the action of the judge. The minister of Bethany Baptist Church (Denver), Rev. Henry W. Pinkham, preached on the subject and ended his sermon in the following words:

"The remarks of Judge Owers on the situation and principles involved have been most refreshing. There is no need to add to them, but it is fitting to say, thank God for such a man on the bench at such a time."

OWERS' REPLY.

Replying to a published interview with Governor Peabody on the Cripple Creek strike, Judge Owers at once answered as follows:

"To his Excellency, Hon. James H. Peabody, Governor of Colorado:

"Dear Sir:—In the News of Saturday, Aug. 15, 1903, you are reported as having in an interview of the labor troubles at Cripple Creek, spoken as follows:

" 'I anticipate no trouble, however, either here or at Cripple Creek. The miners are beginning to understand that they cannot violate the law. They cannot assassinate men, neither can they destroy property. Not even if they do have the protection of District Judge Owers. For that reason I do not think we will have to order the militia out any place. But they must all understand that order must be preserved if they do not want the state to take a hand.'

"When I causually read the interview, I dismissed it from my mind as an error, on the theory that no man occupying the position of governor of this state, could be so lacking in all sense of decency and justice as to make such a statement about a member of the judiciary. It occurred to me, that you, as a gentleman, would naturally seize the first opportunity to correct the error in the evening papers, and thus attempt to acquire some portion of the public esteem.

"This you have not done, and I now realize that you are not entitled to the benefit of the doubt, and that even had you done so, your effort would have been futile, as the matter would have then resolved itself into a question of veracity between yourself and the reporter. In your interview you give the miners credit for 'beginning to understand that they cannot violate the law.' Do you fix the intelligence of the Idaho Springs rioters at so low a standard that you were unable to state that they, too, 'are beginning to understand' and if so, when will you inform them in the words used to the miners that they, also, must understand that order must be preserved, if they do not want 'the state to take a hand?'

"In the interview you directly charge the miners of the state as a body, with violations of the law, assassination and destruction of property, and me, as a district judge, with protecting them in the commission of each and all of these crimes.

"The law presumes all innocent until proven guilty. I am not aware and have not heard that any miner has as yet been tried, let alone convicted, of any crime connected with recent labor troubles in this state. I have not heard that any miners, either as individuals or as a union or otherwise, have openly boasted of the commission of any crime or misdemeanor, or openly avowed responsibility for, or approval of the same in any manner, let alone by adopting and publishing resolutions approving thereof, and offering to aid and abet the same. On the other hand it is a matter of common knowledge that in Denver, Idaho Springs and elsewhere throughout the state, an organization exists known by such a name as the 'Citizens' league' or 'union' which has openly assumed the responsibility, and boasted of its pride in the recent mob violence and outrage at Idaho Springs, and concerning which you have not so far raised your voice in condemnation or protest.

"I regret, that lacking the advantages of blood, breeding and education which are yours to an eminent degree, I am not gifted with that delicate sense of discrimination which enables you to distinguish so nicely between a mob led by a banker and a dance hall proprietor, and one led by a miner, and which makes it possible for you to regard an actual trespass upon human right with equanimity, while you look upon every threatened invasion of property rights as by comparison an unpardonable sin.

"When the expelled men from Idaho Springs appealed to you to be restored to their homes, you were prompt with a denial of help, based upon technical interpretation of your duty. You advised them with many platitudes, to appeal to the courts for redress. They asked for bread and you gave them a stone, yet they followed your advice and when the court appealed to restored them to their families doing in two days what you dared not attempt in two weeks, you hasten with characteristic vacillation to serve your masters by expressing your chagrin and disapproval of the action of the court by publicly insulting the judge who presided, and who had the courage to perform the duty you recognized, but shirked.

IF I WERE GOVERNOR.

"I fear that had fate been so kind to Colorado as to have made me governor, I should be brutal enough to disregard the frantic appeals of hysterical sheriffs for militia, whenever the destruction of a chicken house should be threatened, and I might even insist that the powers of a county should be used, before disgracing the state by ordering militia at an enormous expense to climb a hill and then climb down again. I might even, through lack of moral sense, were I governor, if appealed to by men claiming to have been expelled from their homes by a mob, feel it my duty, in defiance of precedent, use the militia to restore them to their wives and children, and enforce the rights guaranteed my fellow beings by the constitution and the law. I might even, in such event, be impolitic enough to disregard the fact that the expelling mob was composed of 'our best and most prominent citizens.'

"Not having passed my life in the arduous toil of calculating interest at 2 per cent per month; I naturally have not that fellow feeling which, judging from your conduct, exists among bankers as a class, and I might, therefore, if I were governor, do as I am doing, enforce the law without fear or favor, treat a riot as a riot, call a mob a mob, whether led by a banker or a pauper, order the militia to restore men to their homes and instead of writing platitudes and insulting the courts and judges, I should endeavor to prove that through the courts sure and swift punishment will be visited upon offenders of both low and high degree, and thus in the only way possible, as I believe, stop mob violence and the appeal to that 'higher law,' which is but another name for anarchy. Permit me to thank you for the compliment you pay me, by your disapproval of my attempt to enforce the law.

"In conclusion, may I venture to hope for a reply to this letter through the press, as soon as you can get some one to write an answer for you, and will you kindly therein particularize your grounds of complaint against me?

Respectfully,

FRANK W. OWERS."

The writer watched the public press for the answer to this interesting article, but if the governor ever answered the writer failed in some manner to see it. In fact, like the mere puppet of a cabal the distinguished governor gulped down the accusation of Owers' and, like a yellow boy said: "I have nothing to say."

About Sept. 1 there were many rumors of an alliance being formed in Victor. Upon investigation it was found there was an organization known as the "Citizens' Alliance in Cripple Creek. If there was at the above date, such an organization in Victor, there could not be one member located. Just what this organization hoped to accomplish in the Cripple Creek district was hard to understand, but it was not hard to understand from whence the spirit of the movement came. It required but little investigation into the membership to convince one that it was inspired by the mine owners; at least, the most prominent members are their lieutenants in the district. These men, it appears, first interviewed the Victor merchants but received a decided "turndown," for which all friends of organized labor were grateful. The situation is different here from what it is in Denver. The great mass of people here are union people and just how a "Citizens' Alliance" could hope to accomplish any good for itself or anybody else is hard to understand. Just think of it; the idea of the business men, or anyone else of this district, organizing to fight organized labor. What has made the Cripple Creek district from a business standpoint? Has it been the generosity of the mine owners, or the work of organized labor in establishing a wage scale here that would put enough money in circulation to make business here in place of going to Colorado Springs.

In the city of Victor the news of the organization caused much amusement at that time, be it said to the credit of Victor's business men.

On the night of Sept. 1 T. M. Stewart was taken from his home and beaten and shot by a party of five unknown men. His condition at first seemed very serious, but did not prove fatal. This lawless act was greatly deplored by every one, especially union miners, as they knew a few prejudiced people would at once lay the crime at the door of the men on strike. It was afterward said that the outrage was perpetrated by men that had held a personal animosity against Mr. Stewart for several years past. There were other reports to the effect that he came to grief in a manner that had occurred at other times before the strike was called. A strong effort was made by the officers of the entire district to apprehend the persons guilty of the assault. The officers made several arrests of suspects, but there was not evidence sufficient at this writing to convict any one. Mr. Stewart soon recovered from injuries received and was out in a very short while.

Mr. Hawkins was also rather roughly handled about the same time by unknown persons. Large rewards were offered by the county officials and citizens for evidence leading to the arrest of the guilty ones. Here the writer will state that there was no reward offered for the villians that burned the home of Mr. Dennison, a union miner, and there was very little said of the matter by the enemies of organized labor.

The executive committee of the Western Federation of Miners made the following official statement about Sept. 3:

"The executive committee desires to say that they deplore the outrages perpetrated upon Mr. Stewart and Mr. Hawkins on Sept. 1; and further to say that they realize that outrages of this character will be charged to the unions, no matter if perpetrated by outside, irresponsible parties. The committee does not countenance any lawlessness, knowing that it is the greatest harm that can possibly happen the union cause.

"They realize that the unions now have all the best of the strike, and they earnestly caution and implore union men to encourage no lawlessness, no matter what the provocation may be from the other side. The committee postively disclaims that any unions in the district are in any manner implicated in the promotion of the assaults to which reference has been made.

"EXECUTIVE COMMITTEE, DISTRICT UNION NO. 1.

Sept. 3 found the strike situation lookink quite serious. There seemed to be a strong likelihood of state troops being ordered to the district. It was understood that the Mine Owners' Association had asked for the state militia. It was also understood that some of the militia officers were very anxious to receive a call to the Cripple Creek district. It was said that Sherman Bell was so desireous to get into the district with his militia that he sat up nights courting the telephone in a night robe. It was feared by his friends that if he did get a call that he would embarass them by not taking time to dress.

Victor on Sept. 3 was the quietest city in the state of Colorado. Just what the militia would or could do if they should be sent was a mystery to every one that was disposed to express an honest opinion. There was no lawlessness in the district and the tax payers expressed indignation at the mere suggestion of state troops being sent to the quiet little law-abiding cities of Cripple Creek and Victor. It was known that strong pressure was being brought to bear on the governor by the mine owners to send troops to the district. There was a strong feeling that the governor would be conservative and be very careful after the mistake made in the spring, in sending troops to Colorado City. When it was announced that an investigating committee was to visit the district a general expression of satisfaction was heard on every side. But, alas, that investigating committee—what a farce.

The members of the committee arrived over the Short Line Sept. 3, at 9:30 p. m. They were hastened through a back alley by F. M. Reardon to a rear entrance into the Bank of Victor, where they were met by Mayor French and a few other prominent citizens and held a short consultation, when they left for the residence of Nelson Franklin. The committee remained at the residence of Nelson Franklin about a half hour and then took the low line electric for Cripple Creek, where they went into session and held a long interview with Sheriff Robertson. They refused to talk. After the meeting with the mine owners they returned to Victor on a special car.

A telegram received at the Victor Daily Record office from Denver shortly after midnight said that the commission was in session at the National hotel in Cripple Creek and would not be ready with the recommendation for several hours. The commission consisted of Attorney General N. C. Miller, Brigadier General John Chase of the National guard, and Lieutenant T. E. McClelland, an obscure lawyer of Denver. No intimation was given out as to the possible conclusions.

The commission returned to Denver early the following morning, being in the district less than eight hours and only interviewed one side of the question.

September 4, about noon, the news reached the district that troops had been ordered to the gold camp and would arrive that night. The people were seized with consternation at this news. A wail of indignation went up from at least two-thirds of the entire population. The people at once understood the mission of the "investigating committee" and why they did not consult all parties concerned. The first of the state troops arrived in the district Sept. 4 before midnight, and from then on for twenty-four hours they came until there was located, in one of the quietest, most conservative, law-abiding districts in the world, over 1,000 men with munitions of war sufficient to fight a small nation.

The all absorbing subject on the streets of Victor and in the entire district was the question of the arrival of the troops. The farce committee sent here by Governor Peabody to secure an excuse to bring the troops, returned to Denver Sept. 4, early in the morning, and immediately advised the governor to send the troops. Adjutant General Bell had his men in readiness In fact, they were wearing their uniforms around Denver early in the morning and were simply waiting for the farce committee to report what had been agreed upon the day before.

Indignation in the district ran high at the presence of troops. There was scarcely a man who could be found that approved of their presence. They were unwelcome guests in the district and the men who were eager to secure their presence realized that more than others. Mr. P. J. Lynch, chairman of the board of county commissioners made the following statement in the Victor Daily Record on the morning of Sept. 5:

"I am a resident of Victor, and expected that I would be invited to attend the meeting which was held in the Bank of Victor, but evidently they thought that the men who are constantly advising with the sheriff in the matter of preserving the peace during the strike could throw no light on the subject and that they could get better information elsewhere. I do not know what opinion these persons have formed from the interviews which they had during the night, as do a number of our most conservative citizens, that it would be a shame to have the troops called in here when there is no need of their help. I was glad to learn of the remark which was made by former Mayor Nelson Franklin when the commission asked him to make a statement to them. He informed them that the sheriff was the peace officer of the county and that he could give them all the necessary information they would require."

E. W. Peiffer was of a similar opinion. He said: "I was positive that we would be consulted, since we have been talking the matter over with the sheriff for some time; but evidently the commission felt that it could get at the situation well enough without hearing anything from us. We indorse the attitude which the sheriff has taken, and are fully as strong in our opinion with regard to bringing in the troops as the sheriff is. We had a consultation with him this morning in relation to enlarging the force of deputies, and steps will be further taken in that direction this morning."

OFFICIAL ORDER.

Governor Peabody's order calling out the troops read as follows:

State of Colorado, Executive Chamber, Denver.

EXECUTIVE ORDER.

"Ordered: It having been made to appear to me by reputable citizens of the county, by the constituted civil officers and by the honorable commission appointed by me to investigate the matter, that an insurrection is threatened in the county of Teller, in the state of Colorado, and that there is a tumult threatened and imminent, and that a body of men are acting together, by force, with attempt to commit felonies, and to offer violence to break and resist the laws of this state, and that a number of persons are in open and active opposition to the execution of the laws of this state in said county, and that the civil authorities are wholly unable to cope with the situation:

"I, therefore, direct you, in pursuance of the power and authority vested in me by the constitution and laws of the state of Colorado, to direct the brigadier general commanding the National guard of the state of Colorado, to forthwith order out the First regiment of infantry, together with company H of the Second infantry, Colonel Edward Verdeckberg commanding, together with the First squadron of cavalry, consisting of troops B, D, and C, also battery A, and the signal corps and the medical corps of the state, and to prevent said threatened insurrection; and he will protect all persons and property in said county of Teller from unlawful interference, and will see that threats, assaults and all sorts of violence cease at once, and that public peace and good order be preserved upon all occasions, to the end that the authority and dignity of this state be maintained and her power to suppress lawlessness within her borders be asserted.

"Witness my hand and the executive seal, at Denver, this fourth day of September, A. D. 1903.

JAMES H. PEABODY,

To Sherman M. Bell, Adjutant General of the State of Colorado."

GEN. BELL'S ORDER.

Adjutant General Bell's order was as follows:

State of Colorado, Adjutant General's Office, Denver, Colo., Sept. 4, 1903

Brigadier General John Chase Commanding, First Brigade, N. G. C., Denver.

"General Order No. 36: Pursuant to executive order, dated September 4, 1903, you are hereby directed to forthwith order out the First regiment of infantry, together with company "H" of the Second regiment of infantry, Col. Edward Verdeckberg commanding, together with the First squadron of cavalry, consisting of troops B, D, and C, also Battery A and the corps and medical corps of the state of Colorado, to properly enforce the constitution of the state, and to prevent said threatened insurrection; and to protect all persons and property in the county of Teller from unlawful interference, and to see that threats, intimidations, assaults and all acts of violence cease at once, and that public peace and good order be preserved on all occasions, to the end that the authority and dignity of the state be maintained and the power to suppress lawlessness within her borders be fully demonstrated.

"By command of James H. Peabody, governor and commander-in-chief.

SHERMAN M. BELL,
Brigadier General, Adjutant General, State of Colorado."

PEABODY'S STATEMENT.

Governor Peabody made the following statement at 12:30 Sept. 5:

"I have sent the guard to the Cripple Creek district because I saw no way in which it could be averted. I opposed it all I could, but the situation is such that I did not think it policy to delay any longer. My special committee sent me very alarming telegrams, but I did not act until the men came and made me a verbal report. Their report was even more alarming than the telegrams that they had sent.

"The order was issued on the representation of the business men of the district, the mine owners and the mayor of Victor. At no time did Sheriff Henry Robertson ask for the guard. I have heard he maintained they are not needed. He also refused to join in the request. From the present outlook the men will stay there indefinitely. Of course, we cannot know when matters may quiet down. I did not act rashly in the matter. I did everything to avert sending the troops, but I have been forced from the circumstances of the case to do so."

FIRST MEN IN THE FIELD.

Adjutant General Sherman M. Bell, acting as a brigadier general, was given charge of the men. Brigadier General John Chase acted under his order and in harmony with him. Colonel Edward Verdeckberg had charge of the First regiment and the company from Cripple Creek. The entire First regiment was ordered out and the one company of the Second regiment situated at Cripple Creek. Denver, four companies, two cavalry, signal and medical corps; Brighton, one company; Greeley, one; Fort Morgan, one; Loveland, one; Fort Collins, one; Cripple Creek, one. One troop of cavalry was ordered out from Meeker. The men ordered out first were as follows:

Infantry, 600; cavalry, 250; artillery, 75; signal and medical corps, 80; total, 1,005.

COMMISSION'S REPORT.

The reports of the governor's "commission" as wired in were as follows: Santa Fe Depot, Colorado Springs, Colo., Sept. 4, 1903. Governor James H.

Peabody, State Capitol, Denver, Colo.

Have visited Cripple Creek and Victor, and after careful inquiry among representative citizens and property owners, including mayors of Cripple Creek and Victor, we are of opinion that the lives of the citizens of the district are in imminent danger and property and personal rights are in jeopardy. Prompt action is imperatively demanded by the above people to protect the lives and property of the citizens. We find that a reign of terror exists in the district. We do not believe that the civil authorities are able to cope with the situation.

JOHN CHASE,
N. C. MILLER,
TOM E. M'CLELLAND.

H. M. ROBERTSON, SHERIFF OF TELLER COUNTY.

The sheriff of Teller county published the following plain statement Sept. 5:

"SHERIFF ROBERTSON'S PLAIN STATEMENT."

"TO THE PUBLIC—The commission sent by the governor of the state of Colorado to investigate the strike situation in Teller county called me at midnight Thursday, the 3rd inst. I went to the National hotel at Cripple

Creek, and reached there about 12:30 a. m. Friday morning Sept. 4. I was with the commission about two hours and fully explained the situation. I stated to the commission I had authority to employ all the deputies I needed; that I had the situation in hand; that I had made arrests and was going to make more; that there was no trouble. Within three hours after I left the commission, the members thereof departed for Denver. There is no occasion for the militia here. I can handle the situation. There is no trouble in the district, and has been none. No unusual assembly of men. Saloons closed at midnight. The sending of troops here is a usurpation of authority on the part of the governor. I believe the action of the governor will have much to do toward injuring the district to such an extent that it will be a long time before a recovery will be had.

"As sheriff of Teller county, I do solemnly protest against the militia being sent here at this time. H. M. Robertson."

District Union No. 1, W. F. of M., published the following statement in its official organ Sept. 5 which speaks for itself:

"The Executive Committee wishes to state that they were not invited to appear before the 'special committee,' or 'commission,' appointed by Governor Peabody, neither were they in any manner consulted. So far as learned, the committee arrived in the district over the Short Line a few minutes after 9 o'clock on last Thursday evening, Sept. 3, and after meeting certain persons in Victor, went to Cripple Creek on the low line electric, where they were accompanied by bankers and sampling works men. At Cripple Creek they talked only with the sheriff of Teller county, but did not meet any of the representatives of the Western Federation of Miners, neither did they intimate any desire to hear the Federation side of the difficulty, but departed for Colorado Springs at 4:30 Friday morning Sept. 4.

"DISTRICT UNION NO. 1. EXECUTIVE COMMITTEE."

MAYOR FRENCH.

Everybody was surprised at the action of Mayor French in the matter and it was believed that if he wanted to do anything like that he should have conferred with the council on the matter. It was generally believed that he was forced to it; that influences that stood over him in a business way allowed him no alternative but to ask for the militia, as he had always held the respect of the people here and the public generally had great confidence in him at that time. A resolution was prepared to be introduced into the council Sept. 4 demanding of him an explanation and condemning his actions. There was some question in the minds of Mayor Frenchs' friends as to the report that he had wired for the troops, but the following settled that question:

"Victor, Colo., Sept. 3, 1903.

"His Excellency, Jas. H. Peabody, Governor of Colorado, Denver.

"There is in and near the city of Victor, Teller county, Colorado, a body of men acting by force and violence to resist and break the laws of the state, and that a riot and violence and bloodshed and destruction of property are seriously threatened and are imminent. The sheriff and other peace officers are utterly unable to preserve order and protect lives and property. I therefore request and demand that you send the National guard of Colorado to this city and community immediately, for the purpose of protecting the lives and property of the citizens of this community. F. D. FRENCH,

"Mayor City of Victor, Teller County, Colorado."

Another dispatch read:

"Cripple Creek, Colo., Sept. 2, 1903.

"His Excellency, James H. Peabody, Governor of Colorado, Denver, Colo.

"I believe the conditions existing in the Cripple Creek mining district are of such a serious nature that the presence of the state troops is necessary for the preservation and protection of life and property, and I trust you will comply with the request of the citizens and property owners of the district for troops. F. D. FRENCH,

"Mayor City of Victor."

There was sent out in the district a few circulars announcing a meeting on the corner of Fourth and Victor avenue, Sept 5, at 4 o'clock for the purpose of making a formal protest against the outrageous proceedings and declaring against the threatened establishment of martial law, and for the purpose of placing the community of law-abiding Americans in the proper light before the world. The meeting was called for the purpose of passing a resolution that would express the sentiment of the people of the district. In answer to the few circulars sent out, hundreds of representative citizens gathered and held a rousing enthusiastic meeting.

J. E. Ferguson of Victor, was elected chairman of the meeting and delivered the following address:

"It is a very extraordinary occurance which has, on such short notice called out this vast assemblage of law-abiding citizens. We are today confronted with a condition which calls forth from the breast of every peace loving, law-abiding citizen expressions of condemnation such as he has never before felt.

"Without any provocation whatever we have in our midst an army of soldiers but for what purpose has not yet been declared. Last night while

F. D. FRENCH, MAYOR CITY OF VICTOR.

the community was asleep this body of armed men were unloaded in our midst. Up to this hour, I am informed, they have not officially made known to the sheriff or any other peace officer that they are here. Why are we thus afflicted? Why this array of soldiery and munitions of war? It is said that the governor of this state has sent them here and that he has been notified of the existence of that necessity. What peace officer has called for the aid of the state militia? I hear the name of Mayor French mentioned. Whether he is guilty or not I am not prepared to say, but if he is his actions do not show that he has acted in good faith. Mayor French is the mayor of this city. His authority as an executive officer extends only to the limits of his municipality. If there existed in his jurisdiction a necessity for troops why has he not had them sent to Victor? Not a single soldier is stationed within the city limits or so far as I am informed in any other city of the county. Your sheriff has called for no militia. He has need of none. The constitution of the state of Colorado gives power to the governor to call out the militia to execute the laws, suppress insurrection or repel invasion. Can it be said that any of these constitutional conditions existed as a basis for his recent action? Under the laws of the state which follow this constitutional authority he has the power to 'call out the militia when there exists in any town, city, or county any tumult, riot, mob, or body of men acting together by force with attempt to commit felony, or to offer violence to persons or property, or by force or violence to break or resist the laws of the state, or when such tumult, riot, or mob is threatened and the fact is made known to the governor' and when the militia is so called it is to aid the civil authorities to suppress such violence and support the law. Did this condition exist in our midst? There was not a community in the entire county where such conditions existed. It is now over three weeks since the present strike was declared and such a condition has at no time existed. I want to say to you as a citizen of your city, and as an officer of the law, for I am an officer of the court, that in over four years that I have resided in Teller county, I have not seen three consecutive weeks that were fraught with as little violence, as little disturbance, as little breaking of the law as the past three weeks have been. It has been charged that the mayor has been guilty of assisting in perpetrating this wrong upon this city and county. If the necessity existed, when did he wake up to his duty? Mr. French was mayor of the city last April and at that time there was not a property holder or renter of property who was not nightly and daily in fear of incendiary fire. House after house was fired all over the city, many of which were burned to the ground. Murder was committed by the setting of the fire. Yet this law-abiding mayor did not think of calling in the militia.

"The purpose of this meeting, ladies and gentlemen, is to adopt a set of appropriate resolutions which I am informed has been prepared. It is proper that you should do so. Some action should be taken at once to show the powers that reign over us that we have been misrepresented. That we have no need of martial law, and I hope that proper resolutions will be adopted."

Frank P. Mannix was then introduced and went over the situation with a few appropriate remarks. Among other things he stated that he was responsible for the nomination of F. D. French whom he condemned for what he, as mayor, had done. He said that French had to do it and that he did it against his will. Mr. Mannix said: "Frank, since you have done it you ought to have the honor to resign."

The remark was heartily cheered. Mr. Mannix scored the parties in this district that had the troops brought here in strong terms and received hearty applause at the conclusion of each sentence. At the conclusion of the meeting it was announced that the petition would be left at the Record office and at Judge Kavanagh's store where people flocked by the hundreds to sign their names to the petition. By 7 o'clock that evening at least 1,000 people had signed the petitions in Victor and others were being circulated over the district. When the petition or resolution was finally sent to the governor it had the signatures of at least 5,000 of the representative citizens of the district attached. The governor utterly ignored the appeal.

Following is the resolution drafted which expressed fully the public sentiment in the entire district:

RESOLUTION.

"Whereas, a certain detachment of the Colorado State Militia have already been landed in the Cripple Creek district with others to follow, and,

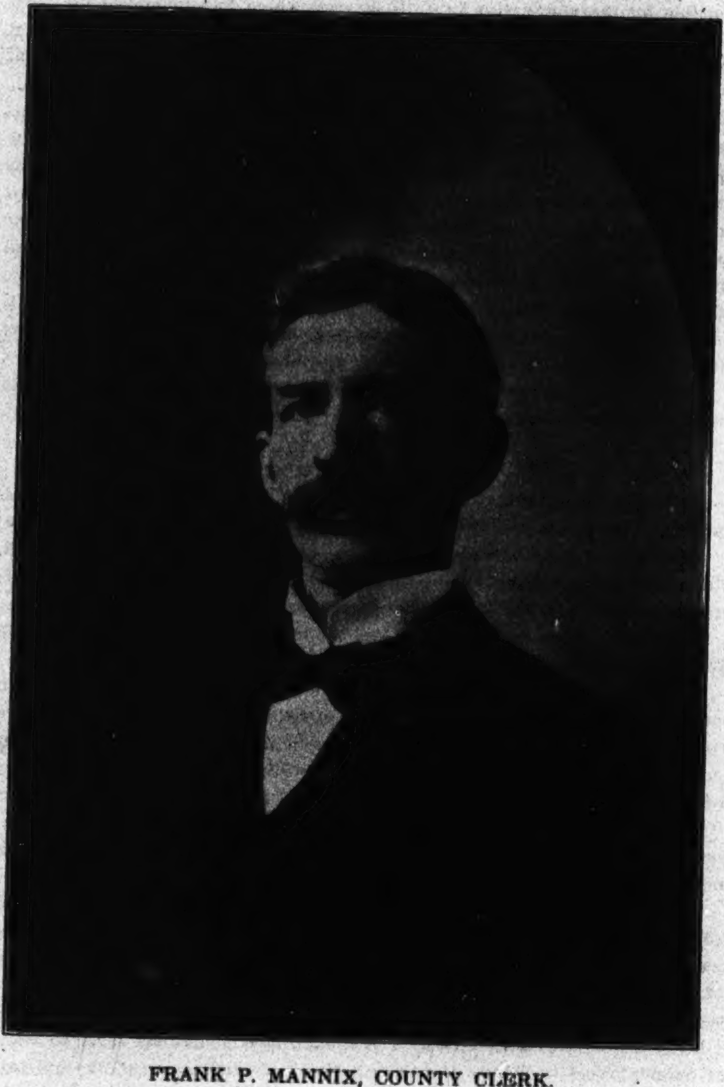
Whereas, according to published statements of Adjutant General Bell, printed this morning, martial law is threatened in every incorporated or unincorporated town in the Cripple Creek district; and,

"Whereas, the vilest sort of misrepresentation has been employed in the effort to have the same camp invaded by soldiery, now therefore, be it

"Resolved by the people of Victor and the entire Cripple Creek district in mass assemblage in Victor, this 5th day of September, A. D., 1903, that we deplore the action taken by Governor Peabody in sending troops into Teller county, and condemn the same as unwarranted by the facts and as anarchistic in its conception, spirit and consequence.

"We do hereby most emphatically protest against the threatened declaration of martial law in the communities of the Cripple Creek district as a further invasion of our rights and liberties as American citizens.

"We protest that Mayor French, Postmaster Reardon and Banker Rollestone, who corralled the governor's advisory commission, while the same was on its brief but stealthy visit of 'investigation,' the night before last, do not represent the people of Victor in asking for the state soldiery, the necessity not existing for troops and the people have not asked for them. Instead of being a lawless community as a few hightoned anarchists seem to want the outside world to believe the Cripple Creek district is one of the quietest and most peaceable, for its size, of any community in the country.



FRANK P. MANNIX, COUNTY CLERK.

"Two comparatively trifling incidents of lawlessness have occurred in the whole camp since the miners' strike was declared, but all fairminded people will agree these are liable to happen at any time and any place.

"We depreciate the strike that is now on and upon this occasion do not want to go into the merits of the unfortunate controversy but we do wish to express our confidence in the ability of our county and city officials to maintain law and order and protect life and property."

The citizens of the city of Cripple Creek held a big mass meeting at the corner of Second street and Carr avenue Sunday afternoon, Sept. 6. There were at least 1,000 people present. Amid great enthusiasm, Frank J. Hangs was elected chairman and made a stirring speech in acceptance of the honor under the circumstances. (Mr. Hangs played a prominent and very commendable part in the strike of which I will speak later.) The chairman introduced Major J. M. Brinson, who made a very interesting speech on the conditions, condemning the governor for sending the troops under peaceable circumstances and admonishing the men to stand firm for their demands.

Former Attorney General Engley also spoke. Mayor Shockey was reported to have been asked to open the meeting, but declined, although visited and requested by some of the officials of Cripple Creek.

A resolution expressing the same sentiment as the one acted upon in Victor was presented and passed amid great enthusiasm.

The District Trades and Labor Assembly, representing the entire aggregate of organized labor of the district, met in Victor Sept. 6, and passed even stronger resolutions than the foregoing.

CITY COUNCIL PROTESTS.

"Victor, Colo., Sept. 5, 1903.

"As members of the city council of the city of Victor we take this opportunity to express our condemnation of the recent action of F. D. French, mayor of the city of Victor. He has willfully misrepresented the conditions existing in this city and we are informed has as willfully misrepresented the desires of the citizens. He left the council chamber when the council was in session to meet the advisory committee without asking for an expression from any member of the council as to whether his contemplated action would meet their approval. His action was taken wholly upon his own motion and without the knowledge or consent of any member of the council. We condemn it now and would have condemned it then had we known his intention.

"The conditions he represented do not exist and have at no time existed. The laws of the state and the ordinances of the city are and have been lived up to and respected by the citizens and property owners and fully enforced by the officers of the law.

JOHN TOBIN,
H. HEALY,
DAN GRIFFIS,
JERRY MURPHY,
J. H. WILLIAMS.

"T. D. Foster was absent from the city, but would have signed this statement if here."

There was so many resolutions passed by fraternal orders and the citizens about that time that it is impossible to reproduce them all. No one living out side of the district will ever realize the strong feeling that existed against the troops being sent into the district.

There was a statement published in the Denver Republican quoting Bell as saying the reason the troops did not travel over the Short Line railroad was because of fear of the line being tampered with by strikers. It was afterward stated by reliable authority that the Short Line refused to bring the plague of the state militia upon the people of the district. This act of the officials of this road reflects great credit upon them.

Sept. 7 was Labor day and if anything had been needed to convince the mine owners and outside public generally, that organized labor was in the fight to win, that evidence was supplied on the foregoing date. There was nearly 5,000 members of organized labor in the parade in the city of Cripple Creek. Over an hour was required for the throng to pass any point on Bennett avenue. As the men marched banner after banner of the different unions was cheered by the thousands that lined the sidewalks. There was over 3,000 Western Federation men in line. I will not give the number from each union of the district as I must press on, but I will make special mention of Victor Newsboys No. 32, who carried off the honors for appearance. Forty strong the little fellows made a touching picture in their pure white duck suits and were heartily cheered.

The day passed off without even one disturbance to mar the day's pleasure. Altman Miners' union gave a thoroughly enjoyable picnic at Pinacle park which was largely attended.

Sept. 10 Chas. G. Kennison, president No. 40 Miners union, was arrested while riding on an early morning train. There was a number of men on the train on their way to work on some of the unfair mines. Kennison got into an argument with a man by the name of T. J. Sturdevant who was working on the El Paso and at that time was on his way to the mine. Sturdevant immediately became insulting to Kennison and finally struck him in the mouth and on the head. Kennison was reported to have drawn his revolver and attempted to strike Sturdevant over the head, when the gun caught in the bell cord in the car. Passengers on the car immediately interferred and stopped the trouble. Kennison got off the train at Elkton, where he was going, and attended to his business there and then went back to Cripple Creek and notified the sheriff's office where they could get him. He made no attempt to get away or avoid arrest. General Bell had a detachment of militia out all the forenoon and part of the afternoon looking for Kennison. After he was placed in the county jail a detachment of troops was sent to investigate. They found him there but made no demand for him.

THEN CAME CONFLICT OF AUTHORITY.

Under Sheriff Gaughan said in relation to the matter that the military had no right to interfere with the procedure of the sheriff's office and if they took Kennison into custody they would exceed their authority so far as he was informed. But as to authority, what authority had they in the district at all? This was only the "beginning of the end."

Lieutenant Wahm, with a squad of six soldiers, rather surprised the miners at union headquarters in Cripple Creek by stationing his detail in front of the hall. Two of the men were deputed to go up stairs and make a search for the president of the union, but as he was not in evidence they soon repaired again to the street. Lieutenant Wahm was informed that a warrant had been sworn out by some person unknown for the arrest of Kennison by the sheriff's office and was asked if he would take Kennison in custody in any event.

"Certainly I will take him," he answered, "even though he is released on bond. If he is not released on bond and is confined in the county jail I will go back to the camp and will secure sufficient force to get him anyhow."

The Denver papers of Sept. 10 in speaking of the arrest of Mr. Kennison said in part:

"C. G. Kennison, president of Miners' Union No. 40, was arrested about noon today and placed in the county jail on the charge of carrying concealed weapons. In an interview with our correspondent he said:

" 'I am guilty of the offense charged. I carried a weapon for the sole purpose of defending my life. The guards at the El Paso mine said that they would stretch me up to an electric light pole. Manager Sam McDonald of the Strong and Gold King properties told me on Bennett avenue that I would be in my grave before the strike was over. I was brutally assaulted this morning and shamefully abused by a lot of scabs and I drew a revolver in defense of my life. I do not care to say any more about the matter at the present time. No, I am not a deputy sheriff. I had a commission but I surrendered it some days ago.'

"Deputy District Attorney Cole, when told of the bull pen that had been established at Camp Goldfield said: 'It is perfectly outrageous and General Bell has no warrant of law for arresting people and detaining them without a warrant. I shall look into the matter officially at once."'

C. G. Kennison was released Sept. 11 at 4 o'clock from the county jail on bond. The charge against him was assault with intent to kill. He gave bond in the amount of $500. Mr. Kennison was in jail just a day when released. The men who assaulted him were never arrested the reader will take note of that fact. Bell stated that the militia came to preserve order and serve every body alike, even if the mine owners did put up money to pay the freight. How perfectly ridiculous! We all knew what they came for in a few days after their arrival.

After the action of the military in the Kennison affair the following telegram was sent to President Moyer at Denver Sept. 10 and the original cannot be improved upon by the writer of this book:

"The victims of the corporations' tyranny greet you in the greatest gold camp in the world." (N. B.—Quotation from K. P.)

"The civil power has been supplanted by military despotism. The laws of the state are overridden with impunity and the powers that be are using the glorious American flag to cover crimes against the constitution of the illustrious state of Colorado, and the 'Bill of Rights' of the United States of America. The rights of property has supplanted the rights of the individual and a lawless mob (militia) are arresting citizens without authority at their pleasure. Please arouse the citizens of the state and save us from this anarchistic anarchism, militaryism, un-Americanism, blatherskiteism and Bellism. THE VICTIMS OF MILITARY DESPOTISM."

Could there have been more meaning embodied in so few words?

By September 10 guards were stationed practically all over the district, at all large mines where union men were out on strike and on the public highways. By that time the citizens began to realize the inconvenience of having to produce a pass every time they had business to use a public road leading to or from the cities of the district.

The guards stationed over the district were growing more particular each day. At the Strong mine the wagon roads were rendered useless for the reason that the guards would not allow teams to pass that way. There were so many camps established by that time that the soldiers branching out from each of them had the district practically covered. A man living near the Strong mine was forbidden Sept. 9 the privilege of going to his own home because it was within the guard line. Is a man's house his castle?

There was a constant rumor of martial law, bullpens and almost anything else, being established. Of course, the people at that time could hardly believe this would be done, there were also those who thought that a part of the program and pointed to the bringing of the troops here in the first place without any cause. Yet, there was still, at that time, a few that still believed they were in "free America," where we have always prided ourselves on liberty, free speech and the rights of the individual.

Sept. 13, the rumored "bull pen" was found to be an established fact. It was found that a military prison, to be known as the "bull pen" was in truth a stern reality. The first surprise to the people of the district was the coming of the military. That was considered an outrage on the people here, but that disgrace to the Cripple Creek district was insignificant in comparison with the "bull pen." We were beginning by the above date to realize that while the militia was in the camp we could expect almost anything. When we retired at night we did not know whether a stray bullet from a reckless soldiers' gun would hit us, or whether, possibly, we would be called from our bed and family at midnight and taken in charge to serve time in the "bullpen." Gov. Peabody told us that the troops did not come to the district to supplant the civil authorities, but to assist them.

The public at this date wondered whether they were to consider the governor joking. The words regarding the militia's purpose here had hardly left his lips when three men were arrested, apparently without cause, and lodged in the "bull pen" and all the consolation the people got out of it was to be told that if they were good they would prove to the public that the troops were not needed and that they would finally be rewarded when they had finally suffered all the humiliation known to man, by the withdrawal of the troops. Such conditions were, indeed, discouraging. We seemed helpless. It was apparent that we must not express our views for fear the general in charge would call it "intimidation" and our arrest might follow.

September 13 found the military in complete control of the entire district. The troops dominated everything. A "bull pen" was established. Men were taken from home and families at dead of night, made to get out of bed and go with the militia and placed in the "bull pen" without explanation. They were not allowed defense and there were no charges preferred against them. Union meetings were, from the date given, broken into and obstructed without apparent cause.

One among the first shocks dealt the people of the district was Sept. 12, when it was announced that the leaders of the military had ordered the arrest of Sherman Parker. It was learned that the order had been executed shortly after midnight, when Mr. Parker was at home asleep. At 12:20 Friday night, Sept. 12, Mr. Parker was awakened by a knock at the door. He went to the door and answered the call. He was told that the gentleman calling had a note from a man by the name of Jack Minor to present to him in the way of introduction. Mr. Parker stepped nearer the door and was immediately placed under arrest and taken from his family without further explanation and lodged in the "bull pen," which was established near the Strong mine.

This was the opening chapter in a persecution against citizen rights which is without parallel in the history of the United States of America.

Sherman Parker is and has always been a peaceable citizen. There is probably none better in the county, but he was a member of the strike committee, and after the troops were here at the instigation and for the assistance of the mine owners, they were to arrest anyone that stood in their way of running affairs with an unlimited high hand. He was forbidden consultation, it is stated, with an attorney, and was simply told to "lie there and take what he was given."

By Sept. 12 the action of the military attracted so much attention that even the miners almost forgot they were out on strike. The district before was quiet and very dull. From the above date until Dec. 25 there was amusement in abundance afforded the peaceable citizens by the maneuvers of the state militia.

On Sept. 11 Lieutenant Greenwood, of Colorado Springs, was leading a squad of troops over the hills in the vicinity of the Eagle sampler when his horse ran into a prospect hole. The horse fell to the bottom and the rider was severely injured about the hip but soon recovered. Upon this General Bell announced, while rather warm under the collar next morning, that he would issue an order to all people owning mining property to close up the prospect holes and if they gave the answer that they could not get men he would arrest them and put them in the "bull pen." This was to apply to leasers, mine owners, or anyone having charge of property. Why did he not send for the searchlight corps of the army of Colorado?

At the present writing Pike's Peak still stands, not having as yet been torn down to fill prospect holes by order of Sherman Bell.

There was a story published about this time that a man by the name of Minford had been beaten up at Goldfield. The militia at once rushed to the supposed scene of action and made several arrests but had to release the men taken to the "bull pen" as the fake was exposed and the facts in the case were that the man was in a low resort quarrel and got a little the worst of the deal. There were no strikers implicated in any way whatever. We, however, held our breath and expected martial law to be declared at once. The executive committee of District Union No. 1, Sept. 13, run the following statement in its official organ in regard to Minford and Sherman Parker:

"W. H. Minford, the man who was supposed to have been beaten by strikers at Goldfield, was in reality beaten up in a bawdy house fight at Cripple Creek. He is now under arrest for giving false information and is detained in the county jail.

"Sherman Parker, secretary of Free Coinage Miners' Union No. 19, was dragged from his bed at his home in Independence by a squad of soldiers at 12:20 yesterday morning. No charges have been preferred against him and he is a prisoner without warrant of law. We want all union men over the country to know how the military are treating our members. Several have been arrested and in no case have charges been preferred against them."

DISTRICT UNION NO. 1, W. F. M., EXECUTIVE COMMITTEE."

One of the most ridiculous things that occurred during the strike was the operating of a searchlight. The light was moved from one mountain to another and turned on the various little cities of the district. Another ridiculous thing was that the citizens of the law-abiding community was given the opportunity of seeing a gatling gun. One was taken from Camp Goldfield to Beacon hill in the afternoon of Sept. 11. It was probably the one that was borrowed from Wyoming to help out Colorado in the great war of the Cripple Creek district. At any rate the gatling gun was here and was hauled from place to place as the great "rebellion" went on.

The representative members of the militia, that came first to the district, on being talked with expressed themselves in language much as follows:

"We went into it blind, boys, and all we can do now is to take our medicine."

The speaker, a healthy, robust young fellow, of perhaps 30 years, was discussing and cursing the strike situation with a number of citizens.

Continuing, he said: "We boys are surely getting the dirty end of this deal. Here we are, nearly all good strong union men, dragged up here to harass the whitest bunch of liberty loving miners to be found on God's green footstool. We are all ashamed of ourselves. We feel like suckers, and I guess we are. I for one would never have joined the d—— militia, had the slightest idea ever occurred to me that we would be used in such a shameful manner. The mine owners are certainly in clover, so far as we are concerned. Before our arrival they were paying guards from $5 to $10 a day and board, and those guards fared on the best grub in the land. What are we getting? Just a paltry dollar a day and half rations. For breakfast we have bacon and bread, for dinner we have bread and bacon, and for supper it's bacon and bread. I believe I would choke on a square meal now, after subsisting on this nauseating diet. We are given the dirtiest and most irksome work to perform and are experiencing the most repulsive hardships.

"Monday will be pay day with us, and there's likely to be something doing. When we enlisted we were given to understand that when called to duty our pay would be $2 a day for the first twenty days, and then $1 a day for all additional time. Now we are informed that we will receive but $2 a day for the first ten days. If there is a loophole to be found through which we can squirm, every last man of us will lay down our guns and strike if we are double-crossed in this manner."

The majority of the first lot of troops sent into the district thought they were going to a district where blood ran like water; where riot reigned supreme; where they would need gatling guns and searchlights. Imagine the surprise of the soldiers on not being able to see any "lawless mobs of men patrolling the district with intent to take lives of people and destroy property." As for the second edition of soldiers that came, I cannot give them the benefit of the doubt as they must have known by that late hour the conditions as they really existed.

On September 12 the politic situation in the district was peculiar. Knowing that the majority of the residents of the district to a ratio of three to one, were opposed to the un-American and unjust position of the governor and "powers that be" the local leaders of the governor's party made a "walk around the obstruction" that can be thoroughly appreciated by all readers in the following description of their "convention proceedings:"

"The Republican county convention called to select delegates to the state convention and the Fourth judicial district convention met in Cripple Creek at the city hall and was called to order by Chairman Hedrick. A look over the delegates showed that all men who tarry constantly at the pie counter, and a very few more who hope to get jobs, were the only ones present.

"Postmaster Reardon was made chairman of the meeting and the regent of the State University, secretary. Of course, Reardon made a speech, but he failed to say a word about the strike or the presence of the militia in our midst. Some resolutions were adopted that referred as usual to the G. O. P. history and closed with instructions to delegates to cast their votes in the state convention for the nomination of John Campbell for justice of the supreme court and for delegates to the convention of the Fourth judicial district to stand for Robert Graham of Cripple Creek for the place now held by Judge Lewis of Colorado Springs.

"Governor Peabody's name was not mentioned during the convention and Sherman Bell was also forgotten."

In explanation of the above "cast votes in the state convention for the nomination of John Campbell for chief justice of the supreme court" I refer you to the action of "John Campbell" in the habeas corpus proceedings brought before the supreme court regarding Victor Poole, later described in this work.

The direct state telegraph line between the adjutant general's office and Camp Goldfield, at Victor, was overworked Tuesday Sept 15. From early in the morning until late at night General Bell and Governor Peabody were corresponding over it. The first telegram over the wire from Denver was from Governor Peabody, in reply to the telegram received from General Bell on the 10th.

"Denver, Colorado, September 10, 1903.

"Sherman M. Bell, Adjutant General, Camp Goldfield, Victor, Colorado:

"Telegram this date received. I congratulate the people in Teller county upon the reported condition. Peace and prosperity will surely follow law and order. May both continue to exist throughout this commonwealth.

"JAMES H. PEABODY, Governor."

No greater parody on the sentiment of patriotic Patrick Henry, or liberty loving Washington ever disgraced justice and debauched the name fellowmen than the above "congratulation" by the oath-bound "servant of the people."

At this time it was laughable to hear, read and see arguments offered by puppets in the hands of master jugglers offering solutions for pacific settlement of all difficulty, as for instance, the following from some diplomatic statesman of Florence:

"I do not see why Colorado miners do not organize solely and independently of an outside federation. Conditions in Colorado are peculiar to this state alone, and in reality our miners have little in common with the miners of Montana, Utah and other commonwealths like Arizona and New Mexico, where anything but American labor is employed. The Colorado miner is, in the main, an American, especially is this true of Cripple Creek; so that the Colorado miners should be organized into a union of their own, and then half of this trouble that has been stirred up would be avoided. All of our trouble of late has been stirred up by pestiferous fellows from the outside, anyway. If we had only our men to deal with we would soon all be to work in Cripple Creek, and there would be no trouble at all, for we have nothing against our own men." Alas, for such "profound" reasoning, some "honest" proverb-maker gave us the example of the strength of a bunch of reeds and the weakness of a single one and a signer of the constitution said: "If we don't all hang together we are SURE to hang separate."

Our ancestors were surely wrong in educational policy, for by it they have placed humanity above social gold idolitry. Shakespeare is dead, this is no rhyme—Byron, too, is dead—before his time.

Sept. 15 the militia aroused the people of the district when a company of cavalry marched to the residence of Patrick J. Lynch of Victor, and who is chairman of the board of county commissioners of Teller county, and, without doubt, as peaceable a citizen as lives in the state of Colorado, arrested and marched him to appear before Generals Bell and Chase. Nothing since the strike started so thoroughly aroused the people of the county as this outrage of September 15. Mr. Lynch was presented with no papers. He was given no reason for arrest. He was simply taken from his table while dining, and marched at command to Camp Goldfield.

A troop of about twenty men marched down Fourth street across Portland, where Patrick J. Lynch resides. They immediately surrounded his residence, going into the back yard and into the alley, then an officer approached the house and arrested Mr. Lynch. He was rudely seized and taken out forthwith. He was not allowed to return to his residence, but soldiers were sent back for some purpose.

Mr. Lynch was ordered to mount one of the horses and was surrounded by troopers. Two were kept on foot also to guard him. As the procession marched along the street to the camp hundreds of people lined both sides of thoroughfare and the expressions that were uttered were possibly the strongest that had been heard. Others laughed at the folly and the absurdity of the action was ridiculed from every source.

Mr. Lynch was immediately ordered before Generals Bell and Chase when he reached the camp. He was told that it had been reported to them that he had criticized the soldiers and exercised the privilege of every American citizen in urging men not to return to work. This Mr. Lynch denied emphatically, and, turning to General Bell and pointing his finger at him, said: "There is a man who has known me for ten years, and he knows that I am as peaceable a citizen as lives in the state of Colorado." After a few other remarks Mr. Lynch was released and allowed to return to his home and partake of another meal by his own fireside, though the military bravos were still in the district.

On the morning of September 15 the following protest was issued by an organization composed of men who had at one time been real soldiers and who had seen service in the defense of their country—the Grand Army of the Republic:

"In the Denver News of this morning appears a report of a visit of several members of the Grand Army Post of Victor to the military camp yesterday in which it says that the old soldiers asked that their compliments be extended to the governor for his worthy and prompt action in ordering out the National guard among us in this time of emergency.

"Now, this is a lie out of the whole cloth. If said at all it must have been by an individual, and not authorized by word or voice of us veterans, neither was it in our presence. We were not then, and we are not now in favor of the militia being here, nor do we believe that they themselves take any pride in it, but being here, we are in favor of their being treated with courtesy and respect.

"We are thankful to both officers and soldiers of Camp Goldfield for the courteous and soldierly like manner in which they received and treated us, and we hope that they may soon be relieved from their unpleasant and distasteful duties in this district. (Signed)

I. N. BERRY, Post Commander,
MICHAEL DONOVAN, J. H. DAVIS,
JAMES MAHONEY, J. H. DUNN,
HENRY NEARGARTER, W. H. TOPPING,
SAMUEL HEWITT."

On the morning of Sept. 14 the following order was issued from Camp Goldfield:

"General Order No. 39—The commanding officer of the First brigade, National Guard of Colorado, will upon receipt of this order direct the commanding officers of companies A and B Second regiment infantry, National guard of Colorado, and the Second regiment band, to mobilize their commands and report for immediate action in the Cripple Creek district at Camp Goldfield, Victor, Colo.

"By command of JAMES H. PEABODY,
"Governor and Commander-in.Chief.
"SHERMAN M. BELL,
"Brigadier General,Adj utant General, State of Colorado."

In compliance with that order companies A and B arrived in this city from Pueblo and Florence on the evening of Sept. 14, at 6 o'clock and went direct to Camp Goldfield. There were about 175 men in the two companies and twenty-six men in the band.

JUDGE SEEDS ISSUES WRITS.

District Judge W. P. Seeds late Sept. 15 granted writs of habeas corpus directing Generals Bell and Chase to bring into court the four prisoners confined in the military guard house and to show cause why Messrs. Parker, Campbell, Lafferty and McKinney were deprived of their liberty. Before reading the application of the court General Engley said: "The matters set forth in the opening of the petitions may not seem applicable to the questions at issue, but they will be found to constitute the reasons which have led up to the circumstances of which we here complain."

At the conclusion of the reading of the application, Judge Seeds said: "It seems to me that you have set forth a large number of matters which are not pertinent to the question of the relief asked for." General Engley asked:

"Then, your honor, you will not issue the writs."

Judge Seeds replied: "I will issue the writs as prayed for but I want it understood that upon the hearing at the return of the writs no matters will be allowed to be gone into except such as are connected with the question of restraint."

The writs were made returnable Friday morning at 9:30 o'clock Sept.18, Sheriff Robertson's demand for the prisoners was formally refused by Chase.

The petition for habeas corpus in the case of Sherman Parker was a lengthly document, signed by Christian Kagy as petitioner. The other petitions were practically identical with it. It set forth that Parker was a citizen of Teller county, a miner, and was unlawfully imprisoned, detained, confined and restrained of his liberty by Generals Chase and Bell.

The facts of the strike was set forth; that the Mine Owners' Association appointed an executive committee that had announced that it would destroy the Western Federation of Miners and would not confer with any labor organization. It alleged that the Citizen's Alliance was in a conspiracy with the Mine Owners' Association to compel and force the miners to return to work; that by a conspiracy these two organizations prevailed upon the governor of Colorado to send the National guard to the district to aid and abet in the intimidation of the officers and members of the Western Federation of Miners. It alleged that these two bodies reported to the governor that a state of lawlessness existed and that commission appointed by the governor to investigate and report upon conditions in the district was influenced by the Mine Owners' Association and the Citizens' Alliance, to report that a state of disorder existed, over the protest of the sheriff of Teller county.

The petition further stated that the National guard was not sent to the district to prevent or suppress any riot, or to aid the civil authorities to suppress any tumult, but on the contrary in the sole interests of the said mine owners and at the expense of the state, for the purpose of compelling the miners to return to work; also to arrest and imprison without process of law the officers and members of labor unions, especially officers and members of the Western Federation of Miners, to arrest and imprison without process of law every one actively and peaceably engaged in supporting and advocating the rights of labor.

Further it said that the Mine Owners' Association had selected and given to the officers the names of forty miners, peaceable and law-abiding citizens and directed their arrest and imprisonment by said National guard to the end that the labor organization might be crushed and employes forced back to work; that troops under the orders of military officers were making visits and searching the habitations of law-abiding citizens at all hours of the night. That these citizens were subjected to brutal and inhuman treatment, that troops had intimidated the civil authorities and had picketed and closed public highways, and the officers of the National guard had arrested and intended to continue to arrest without process of law, citizens who had committed no offense, refusing to release them or to deliver them into the custody of civil authorities and at the behest of the Mine Owners' Association and Citizens' Alliance Sherman Parker was at that time unlawfully imprisoned; that the petitioner believed that the National guard had no jurisdiction or legal authority to arrest or imprison the said Sherman Parker and so believed that his imprisonment was illegal.

The petitioner asked that Judge Seeds command the officers of the National guard to produce said Parker and restore him to liberty.

The Rocky Mountain News contained the following article about Sept. 14:

"BELL SHOULD BE REMOVED."

"Adjutant General Sherman Bell should be relieved and removed from command of the troops at Cripple Creek. His mental characteristics are such as to make him an unsafe and even dangerous person to hold that position. This has been shown by his conduct since he went to the district in his disregard of the law and the most ordinary rights of citizens.

"The troops have been used to make domiciliary visits, to enter peaceable meetings by force of arms and to make arrests without warrant or indictment and without giving information to the persons arrested or to the public of the reasons of the arrests. Some even are being held forcibly in durance without charge of any kind against them.

"Granting that the governor was sincere in the belief that the troops were necessary in the district, his first great mistake was to consent that the cost of sending them should be paid by one of the parties to the controversy. The officer in command looks upon himself and his troops as in a sense the employes of that party, and it is not to be doubted that the mine owners have driven Bell to do the illegal acts which have marked his sway. He and they protest that there is no martial law; while martial law prevails in fact almost to the last extreme. When men are arrested and placed in confinement without charges against them, solely by the order of the general commanding, it is martial law.

"The troops of the state when called out on such occasion, should act solely as assistants to the civil authorities in preserving the peace. The officer in command has no right whatever to undertake to set aside civil authority and make his own whims the sole law.

"The officer in command in Cripple Creek should be calm, selfcontrolled and responsible, and as Bell is not qualified in any of those particulars, the governor should repair, so far as possible, the harm already done by removing him at once. A man of demonstrated unfitness should not occupy a place of such great trust at a time when so much is involved as is the case in the Cripple Creek district at the present time."

PREPARATIONS TO FIGHT A NATION.

On September 15 Bell announced that he would appear in person before Judge Seeds Friday Sept. 18, with his attorneys and answer as to his reasons for arresting and holding men in the military prison. But military activity continued as if the whole state of Colorado was in a state of armed rebellion; a first consignment of 1,000 Krag-Jorgensen rifles from the United States government arrived and were given the troops. All companies of the First regiment except E, G, and L companies not having Krag-Jorgensen rifles were given Winchesters. Besides the new rifles 60,000 rounds of ammunition was also received. This was the first new equipment to be sent to Colorado under the Dick bill.

The signal corps commenced to establish a great many important (to them) signal stations on the following named hills: Heliograph stations during the daytime on Bull hill, Nipple mountain, Gold hill and Raven mountain. The night lanterns to be in constant communication with Brigadier General Bell's headquarters. With the aid of search lights it would be absolutely impossible for any person to approach or escape from camp, as they would make objects plainly visible for miles around. Telegraph stations were installed on Bull, Mineral and Beacon hills, being connected by direct lines with Denver and all parts of the United States. Official messages were to have precedence at all times. Field telephones were installed in every camp. Also on Tenderfoot hill, Battle mountain and Cow mountain. These telephones were directly connected with officers quarters and the guard tent. At any moment that a meeting of the Western Federation of Miners was reported a general alarm could be sounded throughout the camp. The new solar lamp which operates the heliograph at night was to be stationed on the following mountains: Cow, Pisgah, Straub and St. Peter's Dome. All heliograph stations were equipped with signal flags for wig wagging purposes on cloudy days. The signal corps was equipped with twelve powerful telescopes of the latest design, as well as binoculars. The use of cipher messages were used in communication between commanding officers and their superiors. Now, reader what do you think of that outlay for a peaceable community?

THE PRESS COMMENTS EDITORIALLY.

The unwarranted, warrantless and arbitrary military arrests, the vicious use of state force and power armed against the masses called forth at this time the editorial condemnation of all the influential papers of the state, whose views were expresad similar to the following from the Denver Post and News:

"DOES GOV. PEABODY REALLY KNOW WHAT HE IS DOING?"

From Denver Post.

"The present attitude of Governor Peabody is that organized labor is treasonable. The situation at Cripple Creek is a reminder of the fact that the President of the United States and governor of a state have unlimited power in emergencies—but if they exercise it wrongly upon their heads be it; that is to say, the politician or the political aspirant who uses the supreme power of the state and it turns out to have been unnecessary is destroyed by his mistake. All law and government are, of course, based on force. That is to say a government which cannot maintain itself is necessarily no government. And so the most ordinary every-day processes of civil law are respected, because behind them is the entire force of the community, the state and the United States. And certainly there must be some finale and that tremendous power is lodged in the governor and the president.

"But there is nothing the governor of a state or the President of the United States tries so earnestly to avoid as the exercise of the power now being used by Governor Peabody. Seldom has it been used and, indeed, the most odious conditions have been tolerated rather than exercise naked, undisguised force. So all the Presidents of the United States and all the governors of states have hesitated long and well and, indeed, there is no modern example of the thing Peabody is doing, save Cleveland's famous act in Chicago. The pretext there was that the United States mails had to be moved. The excuse for martial law at Cripple Creek is that there is conspiracy against the law. The real reason in Chicago was that President Cleveland decided to put an end to the railway strike and likewise the real reason at Cripple Creek is that the governor PROPOSES TO CRUSH THE MINER'S STRIKE.

"In Cripple Creek the thing at which Peabody has struck with all the power of the state is not physical, as in Chicago, but in the air. That is to say, men said they were afraid to go to work; but there were no criminal acts. The governor's excuse for his action is that he levels the armed force of the state against fear. To the man that cares nothing, sympathetically, one way or the other, but who has a regard for law, the view of the matter is that the governor should have refused to act until there was evident lawlessness and disorder.

"The fact of the business is that the reasons for Peabody's action would justify the seizure of all union labor leaders on the charge of treason, regardless of any strikes. In fact, it may be doubted if the governor realizes what he is doing. The real, vital interest in the thing is that Gov. Peabody of Colorado has cast a dye which, unless he backs out, to use plain words, means that organized labor is treasonable and, if his attitude is accepted, will mean the crushing of labor organization by the government as being a society or organization which challenges the supremacy of government. As soon as the country realizes what is being done in Colorado it will be recognized as a national issue.

"The outcome of Gov. Peabody's action may bear results of which perhaps he never thought or dreamed. Whether he is killed politically or his party is destroyed are results insignificant beside the issue of what the law may finally do.

"Only one thing was ever settled in this country by any process save that of law, and that one thing was slavery."

LIABLE IN DAMAGES.

From the Denver News.

"There seems to be little doubt that suits can be maintained against Governor Peabody, General Bell and Chase and the other officers immediately connected with the arbitrary arrests of citizens in the Cripple Creek district.

"From Bell's published statements, he was sent to the Cripple Creek district with discretion in the matter of arrests. Governor Peabody is commander-in-chief of the militia in the field, and when he trusted discretion to his adjutant to make arrests, he became personally responsible in damages for all unlawful arrests made by his subordinate.

"Not a respectable lawyer can be found that will say that there is a shadow of legality in the arrests made at Cripple Creek under General Bell's orders up to the present time. The military have surrounded homes, taken out the inmates and carried them by force to military headquarters, and either sent them to the 'bull pen' where they are yet held, or, with an admonition, set them at liberty. There has been no pretense of a charge of violation of the law having been filed civilly against these people, and those who are yet confined are held wholly at the will of Bell, with the approval of the governor.

"When the fever for this military foray to Cripple Creek has died down and men resume their sober senses, the utter blackness of these military arrests will become apparent and the juries will not be slow to mulct the offenders in heavy damages. It is gratifying to know that Commissioner Lynch and Justice of the Peace Reilly have determined to bring suits for false imprisonment against this military combination, and to lay their damages at $100,000. Every man who has been unlawfully arrested or imprisoned up in Cripple Creek, should pursue the same course.

"Peabody and Bell may have an exaggerated notion of their own magnitude while they are raiding the homes of private citizens with the military force of the state behind them, but when they face juries in the district court, presided over by an honest judge, to defend a dozen suits for damages, they will sink to the littleness of their true statues and leave the courts poorer but wiser men."

GOVERNOR DENIES RESPONSIBILITY.

Denver, Sept. 16.—"I can hardly credit the statement that County Commissioner Lynch and Justice of the Peace Reilly intend to bring suit against me for damages because of false imprisonment, every one knows of the orders I have issued, and they know that I have always said that the civil authorities were supreme, if they tried to enforce law and order," said the governor in an interview. "General Bell was only sent there and I told him so, to aid the civil authorities. I hardly see that I have anything to do with this suit, even if one is really brought. I didn't arrest them and I didn't give the order to arrest them."

"As a matter of fact I do not believe they would have a standing in court. I don't even know they were arrested, and it is probable that they were not. They might have been taken to headquarters to confer with the general, and they thought it was arrest."

Attorney General Miller, however, had another opinion. "I can't talk about this, of course, I don't know anything about the merits of the case. But if they do bring suit it will be a good thing in one way. It will absolutely settle the question of just what right and authority the militia has when ordered out. The bringing of suits against individuals is exactly the right course to pursue. They have a chance of winning that way. While if they had sued the state the suit would have been thrown out of court at once. I do not care to talk about this part of it," said Attorney General Miller, "I am out of it and no one is better pleased with it than I. I'm heartily tired of the whole business. Why, I never heard of the military exerting such authority as they have in this case, except in the Coeur d'Alene during the big strike there. General Merriam took charge of that with United States soldiers and established practical martial law, but even that, I think was illegal. The trouble is these military fellows go ahead and do just as they please, whether its according to the law or not. They say its a military necessity, and trust to luck that they get out of it all right."

STATE FEDERATION OF LABOR AROUSED.

During the week of September 14-19, the Colorado State Federation of Labor was in session at Canon City and realizing the oppressing domination of Colorado militarism and understanding that all organized labor was in immenent danger of military suppression by the determined and lawless methods used to crush the Western Federation of Miners, passed unanimously the following resolutions:

"Whereas, A gatling gun, the property of the state of Colorado, supposed to be used by the Colorado militia to uphold the laws of the state of Colorado, without class distinction, has been loaned and for the past six months has been in the Standard mill at Colorado City; and,

"Whereas, Such loaning of the property of the state of Colorado is not only not good public policy, but is a detriment to the interests of the state and is without doubt at the behests of certain citizens for the purpose of intimidating other residents of Colorado City and is distinctly a case of arming one class of citizens against another, which is absolutely against the constitution, wherein equal privilges are guaranteed to all; therefore be it

"Resolved, By the Colorado State Federation of Labor, in convention assembled, that the action of the officers of the Colorado National guard, and especially of Governor Peabody as commander-in-chief, be denounced as absolutely without warrant or precedent and as against the best interests of the state and dictates of good government.

"Whereas, On the 28th day of July, 1903, the Sun and Moon transformer at Idaho Springs, Colo., was blown up by means and persons as yet unknown; and,

"Whereas, There is a certain organization in Idaho Springs known as the Citizens' Protective league, composed of all classes except organized labor and organized for the purpose of antagonizing labor in their efforts to better their conditions; and,

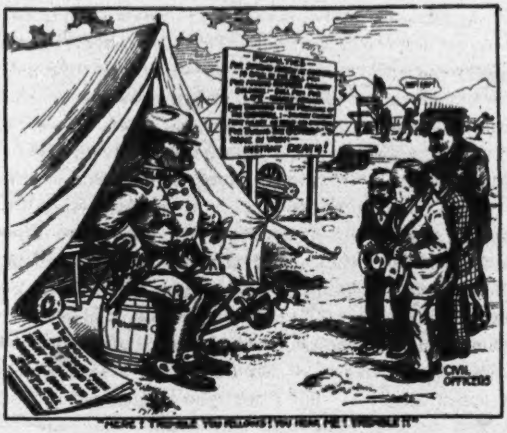
"Whereas, Said Citizens' league without warrant of law, aided and abetted by the sworn peace officers of the county, did take from their homes and imprison certain members of organized labor for certain affiliations and did after said imprisonment as an organized mob under the direction of the said Citizens' Protective league expel said members of organized labor from Idaho Springs with a warning to never return on pain of death and did banish said members of organized labor from their homes and families; and

"Whereas, The district judge of Clear Creek county, presided over by Judge Frank W. Owers, has in the trial of the cases instituted by the banished members of organized labor against the members of the mob shown a spirit of fairness, as refreshing as it is rare in cases where a clash has arisen between labor and the capitalistic class; and,

"Whereas, The said Judge Owers has publicly declared from the bench that it is his purpose to administer the laws of the state of Colorado regardless of class or caste; therefore be it

"Resolved, By the Colorado State Federation of Labor, in convention assembled, that we do strongly commend the action of Judge Owers in meeting out exact justice to all violators of the law; and that a copy of these resolutions be furnished Judge Owers under the seal of the Colorado State Federation of Labor."

Another resolution which was passed by the State Federation, expressed



CARTOON ILLUSTRATING MILITARY AUTHORITY OVER CIVIL

in very plain words the public sentiment in regard to Peabody and Bell and ran as follows:

"Resolved that we condemn the unwarranted and autocratic action of Governor Peabody in turning the military army of the state government over to the Mine Owners' Association for the furtherance of their own private interests, at the cost of the people of the state and against the interests, welfare and liberty of the citizens. This action, and the fact that the mine owners are furnishing the money for the payment of the salaries of the members of the militia and the expenses of the military campaign shows that Governor Peabody must be subservient, though willing agent of the Mine Owners' Association and other capitalistic interests of the state.

"Resolved, That we denounce the actions of Sherman M. Bell as those of one whose weak intellect and mind have been overbalanced by an ambition to pose as a military hero, as well as the fact of a well paid tool, who always is willing to do his master's bidding, regardless of the welfare, happiness and liberty of his fellowmen; and be it further

"Resolved, That we call the attention of all citizens of the state that if such militaryism is allowed to continue in this state, the rights and freedom to assembly, the freedom of speech and liberty of action under the laws of the land will be in jeopardy, and we ask pressure to be brought to bear to put end to such militaryism."

51 STRIKE BREAKERS ARRIVE IN THE DISTRICT.

On Sept. 18 the much heralded strike breaking miners from the "east" arrived in Denver on their way to the district under heavy guard.

When the train carrying these men reached Cripple Creek the soldiers abandoned them, but the mine owners had places provided for their comfort. The newsboys followed them down the street and cried, "scab!" after them. This frightened the mine owners and a detachment of troops was immediately sent from Camp Goldfield to Cripple Creek, going over on the 9 o'clock electric low line from Victor. These soldiers were soon joined by two other companies of infantry and they lined Bennett avenue from First to Third streets and guarded the alleys more particularly. The soldiers' headquarters were made at the Mining Exchange building, from where they received their orders. Citizens walking along the streets were told to move on and not to loiter. The Finns and Norwegians, which constituted most of the men brought in—in fact, there was only two Americans among them—and very few who could speak English. The ones who could speak English stated that conditions had been misrepresented to them. They had just finished their work in the harvest fields of northern Michigan and were told that a new gold field had been opened here and that the mine owners wanted men badly. They were informed that in order to get men at once they would pay $3 for eight hours work and that the first men who responded would get the jobs. They were told further that if they did not like the work they would pay their expenses back to their homes and that it would not cost them a cent to get to the district. There was eighty-seven in the crowd when they reached Denver, but twenty-six of the number pulled away in that city and about nine quit at Colorado Springs, leaving fifty or fifty-one to arrive in the gold camp.

STRIKE BREAKERS CONVERTED TO UNIONISM.

Eighteen of the men shipped into the district from Michigan were at union headquarters Friday night, Sept. 18, and stated that they would not go to work under the conditions here; that matters here had been grossly misrepresented to them. The balance of the fifty-one were taken to the Independence mine in the morning under heavy guard, but when they got to the mine they refused to go below. They were kept there all day and fed at Camp Goldfield.

On Saturday morning, Sept. 19, while the remaining twenty-three imported laborers were being escorted along Bennett avenue, Cripple Creek, by the military, the first shot of the "Cripple Creek District War" occured when Lieutenant Hartung, of company B, took a shot at one of the imported Finns, Emil Peterson, who had been drawn off by the unions.

The strike breakers were being escorted from Miners' Exchange hall to the depot by a detachment of company B. At the corner of Second and Bennett avenue Peterson broke through the lines and tried to talk to the strike breakers. He was ordered out by Capt. Frazier. As the man turned away he shouted in an excited manner, in his own tongue, to the others, and the captain called on Lieut. Hartung, "Arrest that man." Peterson ran up the avenue, and Lieut. Hartung called, "Halt!" three times. The man increased his speed. The officer then sent a bullet after the man, who was now running like a frightened rabbit, his hat falling off in his mad rush for freedom and perhaps unionism. Saturday morning unionists persuaded eighteen of the imported Finns to desert the mine owners, one of them being the man who was shot at by the lieutenant and whom the private sharp. shooter offered to kill if the order was given. Peterson claimed that all of the strike breakers were induced to come to Colorado by false representation, and the promise of high wages, from $4 to $5 a day being offered.

PETERSON'S AFFIDAVIT.

The following affidavit was made Saturday morning, Sept. 19, by Peterson, the Danish workman who was fired on:

"County of Teller, State of Colorado, Emil Peterson, being duly sworn, upon his oath he says. I am twenty-four years of age. I reside in Denmark; that is my native land. I came to America February 23, 1903. I then went to Fairchilds, Wis. I am not an American citizen. At Fairchilds the Lester Lumber company paid only $26 per month. On the 8th of September I went to Duluth to get work. At Duluth B. B. Gilbert & Co., labor agents, 5 South avenue, west, employed me to go to work in the Colorado gold mines. I was to get from $3 to $5 per day to fire boilers in the mine. I was shipped here from Duluth. Mine owners of Cripple Creek advanced me $18 for car fare. The company would pay this if we contracted to work a month. About seventy-five men were shipped from Duluth. I don't know how many quit on the way. Others joined at St. Paul, making near 150 altogether. I think that about eighty of these, of whom only five had ever worked in a mine arrived last night, Friday, September 18. B. B. Gilbert & Co. told us there was no strike in Cripple Creek. They had a newspaper in the office saying, 'No strike in gold camp; all men go to work.' At Colorado Springs we discovered there was a strike. Men with spectacles on who said they were mine lessees met us in Colorado Springs and came on with us. I stayed last night at the Rhodes house with a party of ten. We took breakfast and then went to a building near where the shooting occurred. Here there were many others. The men were lined up and an officer said: 'Come on, boys, go to work.' I said out loud in Spanish, 'Don't go to work.' I started to run and he fired at me with a pistol. I ran zigzag to avoid the bullet. He fired once. I got away."

"Subscribed and sworn to before me this 19th day of September, 1903.

"ABBY C. COLWELL, Notary Public."

"My commission expires June 29, 1904."

(Signed) EMIL PETERSON, CARL HANSON.

Peterson's companion, Carl Hanson, made an affidavit to the effect that he had accompanied Peterson from Fairchilds to Duluth and from there to the district and that he saw the soldier shoot at Peterson, etc. E. D. Whitney also made an affidavit that he saw the shooting and that Peterson had made a correct statement. This goes to show what the Mine Owners' Association would resort to in order to accomplish their purpose. Import men here by false representation and after they arrived and discovered true conditions and refused to work try to force them at the point of bayonets to work when all other efforts had failed. There were many other cases like the forĕgoing, but I gave this in detail as a fair illustration of their attempts to secure men to take the places of our union miners. As time went on and attempt after attempt failed, they grew more desperate at their failure.

By Tuesday, Sept. 22, all the remaining Finns escaped from the mines where they were forced to work at the point of bayonets had left the city at the expense of unions, be it recorded to the foreigner's credit. That set of imported men were not naturally born "scabs," union men are born—not made. To the writer's mind a natural born "scab" will leave a good union job and work for less, in order to be what he is naturally—a "scab" on the face of humanity.

Friday Sept. 18, was the day the prisoners were to be produced by the military. The writs issued by Judge Seeds being returnable on that date.

Tom McClelland appeared in the district court that morning to represent Generals Chase and Bell, who were not present, and asked for a continuance of the habeas corpus cases for five days. This was refused by Judge Seeds, on the grounds that the respondents had made no return upon the writ, neither producing the prisoners in court, or showing cause why the order of the court had not been complied with. McClelland then stated to the court that if given until 2 o'clock in the afternoon, he would make a return on the writ and then argue the question of continuance. When court convened at 10 o'clock McClelland arose and, with folded arms, addressed the court, stating that he represented the respondents, Chase and Bell, and on their behalf asked for a continuance. He said:

"A great many question are involved in this case, and owing to the duties of the military camp I have not had the time to prepare such an answer as I would like to present to this court. Under this statute it is discretionary with the court to allow five days for an answer. I would, therefore, ask until Monday morning or longer to do so."

General Eugene Engley, counsel for the prisoners, objected. He said:

"There has not been sufficient showing to warrant the continuance sought by Brother McClelland. The statute is very clear on this point. It says that only upon the return of the writ a day shall be set for a hearing. A continuance must be made after a return of the writ, which has not been made. Whether an imprisonment has been made by the military forces or by civil officers, that person ought to know before making an arrest what is the authority for doing so, and he should be ready at any time to make a showing of his position."

McClelland said that upon the return that day the court might make an order for continuance, either for making a return or for a hearing.

John Murphy, general attorney for the Western Federation said:

"The order of this court was to produce these prisoners. The respondents are in contempt because they have not done so, and have given no reason to the court why they have failed to produce the prisoners. Without warrants citizens of this commonwealth have been thrown into prison. The military is only the reserve police of the state, and cannot hold a man longer than absolutely necessary to take him before a magistrate." The court said that section 2108 of the code contemplates a return of the parties to whom a writ is directed. He added: "That would be a foundation for the court to consider the questions at issue. Upon that the court would be advised that there are matters subject to trial. It would then be within the province of the court to fix a time for a hearing. Moreover, it is the judgment of the court that on a proper showing the time of the return may be extended, but that the showing must be one upon which the court should be advised that more time may be necessary. Mr. McClelland's showing is not sufficient. It should be supported by facts and circumstances."

McClelland stated that if a continuance was given until 2 o'clock he would make a return of the writ. The court said: "Very well, I will grant a continuance to that hour. I think the parties who instituted these proceedings are entitled to a return. I will give the respondents until 2 o'clock to make it." At 2 o'clock the court convened again and the military attorney was not ready, but entered a plea for further delay, and Judge Seeds again granted his request, this time giving him until Monday Sept. 21, at 9 o'clock. This delay aroused considerable speculation as to the cause.

The largest crowd ever assembled at a hearing in the Teller county district court room had assembled on this date to see what the outcome would be. Every seat in the court room was occupied.

SHERMAN M. BELL.

9:30 o'clock a. m. Sept. 21 came, Judge Seeds was on the bench the sheriff at his station and court was duly in session—but Chase, Bell and the prisoners were not present. Tom McClelland, however, appeared as counsel for Chase and offered argument as to the non-appearance of Chase and his prisoners.

Counsel for the prisoners demanded that the prisoners be brought into court, and Judge Seeds sustained them. Attorney Murphy presented a motion that an attachment for John Chase be issued directing the sheriff to arrest Gen. Chase and bring him into court, on the ground that he had failed to produce the prisoners in court and was therefore in contempt.

Mr. Murphy read the statute relating to refusal of officers to obey a writ of habeas corpus. He said it was stated in court Saturday, Sept. 19, that the military was here to aid the court and the civil authorities and desired to assist them. "If this is true," he said, "that they are here to obey the mandate of the court, there is nothing for them to do but to bring the prisoners into court, just as the sheriff woul obey a writ of habeas corpus."

McClelland replied that his position raised all these questions and he desired to present his case. Judge Seeds interrupted saying, "The court cannot agree with Mr. McClelland. These men are entitled to be heard as to themselves. In order to avoid any misunderstanding I called upon Gen. Chase Saturday and told him to appear in court Monday morning, Sept. 21, and produce the prisoners, but he has not done so. The court will not proceed in this case until the petitioners are in the court room. It is due him and it is due you, in obedience to this court that those men be present, and the court will not conduct any proceedings in their absence. It is just as imperative that you produce the bodies of the prisoners as directed in the writ as that you make a return on the writ. The points are one and inseparable."

Judge Seeds asked McClelland if there were any preliminary matters he desired to take up before arguing the motion of petitioners to quash the return of the writ. McClelland said he desired to go on with the argument, and would like to take up the issue now.

Judge Seeds replied: "The court absolutely refuses—unless it is compelled to by conditions beyond its control—to listen to any arguments in the absence of the prisoners."

Lieut. McClelland requested permission to file an amendment to the return setting forth that arrest and detention of the prisoners had been the result of the judgment of the commanding officer in putting into effect the order issued by the governor placing the troops in the field. The court granted this permission, and McClelland stated in reference to the order of the court regarding the prisoners: "Your Honor, I will communicate this notice to the commanding general, whose legal representative I am."

A recess was taken to 2 p. m.

After Judge Seeds' decision all the military officers were closeted for two hours, discussing the situation and talking with Gen. Chase by telephone and S. D. Crump, who was associate counsel in the case. It was decided to comply with the order of the court, and Gen. Chase announced that he would go over on the train with the four prisoners, Parker, Campbell, McKinney and Lafferty, in time for the assembling of court at 2 o'clock, and that he would bring them under a strong escort, and send a detachment of cavalry to act as guard in the vicinity of the court house.

At about 1 p. m. the people saw that preparations were being made for the arrival of General Chase and his prisoners. A blare of trumpets, the thunderous sound of dashing troops, the rumbling roar of wheels, quick fierce and stern commands of "Halt!" "Clear the street!" "Guard that alley!" "Guard that street!" "Ready! load!" "Sharp shooters seize the vantage of yon roof!" "Seize this" "seize that!" "seize any old thing!"

By the time the people realized that the fierce and mighty onslaught was not the arrival of Gabriel and the avenging hosts, they had been pushed, yanked and proded from the streets; women were hysterical; children were screaming from fright; refuge had been sought by them in saloons, doors, stores and hall-ways—and then? Cripple Creek had been captured! sharpshooters had bravely and in the face of fearful odds gained possession of every point of advantage, the roof of the National hotel swarmed with them, gallant soldiers with loaded and bayoneted muskets paraded the sidewalks, death-dealing gatling guns, (late of Wyoming) commanded the streets. The hospital corps with stretchers, lints and all were there in readiness for the ghastly duties and superhumanly wise was the man, woman, child; aye, even mouse, bird, or yellow dog who could move a lash or pick a feather unless detected by the vigilant eyes of fighters of Colorado's "bloody wars."

"But why was this? Why this military coup? Can't you see? Don't you understand? The brigadier general, the mighty warrior was coming (at last) to deliver the bloody-minded, bloody-handed, crime-conceiving and committing anarchists to the "poor unprotected court" in answer to a "dinky little old writ of habeas corpus!

At 1:30 p. m. Chase arrived with the prisoners. But what an arrival!

This is supposed to be a free republic and never before in the annals of time have prisoners been escorted to a court of justice in such a manner as were Sherman Parker, Lafferty, Campbell and McKinney. Readers of this book should bear in mind well how these citizens, not one of whom had a complaint lodged against him, was arraigned in court.

Search the pages of history and nothing can equal it.

Two troops of cavalry came dashing down Bennett avenue in full field equipment, jangling, glittering sabers, loaded sidearms, belted and arrayed for bloody conflict. Guards were hurriedly rushed to every entrance. Ah! ha! another brilliant coup! the court was safe! the prisoners would be safe and now would the general deliver the prisoners in answer to the writ!

The prisoners arrived on the 1:30 train and much was the surprise of the people to see instead of four bound, shackled and handcuffed assassins and robbers, anarchists or desperadoes, four ordinary miners, for whose appearance all this military bravado, and brilliant display had been made marching up the street between a file of grinning young fellows with guns on the shoulders and dressed in the blue supposed to be the uniform of the American soldier.

But the court room! Freemen, its like has never been seen in this republic.

There sat the court supported by his sheriffs—all that had been needed, but aside from this, twenty armed men, cavalry, side arms and carbines or worse, stood in solemn phalanx with their backs to the court and arms at present.

Outside all the cavalry of the militia were in waiting. Waiting for what? To shoot down citizens?

Understand.

Hardly had the cavalvade started on Bennett avenue when the order was given to put bullets in the guns. That commander or his chief wants to kill somebody. The last death to record in the district at that time was that of a union miner. He passed to his last reward with a union card on his person and fell to his death out of a stope.

When court convened at 2 o'clock Lieut. McClelland took the floor and argued that martial law existed here as soon as the governor issued his order sending out the troops and from that standpoint he practically occupied the attention of the court the entire afternoon. The court adjourned at 6 o'clock to convene at 9:30 the next morning. The prisoners were again marched to the "bull pen."

The next morning (Tuesday) it was reported the military had decided to recognize the civil authorities to the extent of turning over to them three of the four prisoners. The three to be proceeded against criminally and affidavits to be filed with the district attorney on which to prepare informations and have capiases issued. This announcement was made in court Tuesday morning by counsel for the military. It was not stated which of the prisoners were to be given to the sheriff, and none of the officers would give any information on the subject, but it was understood that Campbell, Lafferty and McKinney were the three and that Sherman Parker would be produced in court on the habeas corpus contest and the hearing would be proceeded with. Court did not convene until nearly 11 o'clock and the delay was occasioned by complications of the military counsel on the move it proposed to make. When the hour for opening the court passed and Chase had not appeared with his prisoners and escort, there were rumors that the military had decided to defy the court and decline to proceed further with the habeas corpus proceedings; but after court opened the examinations were made. After much argument by attorneys for military and prisoners, Judge Seeds ruled that unless three of the men were turned over to the sheriff by 2 o'clock he would proceed with the hearing in all four cases. Counsel for the military said that they would have the affidavits ready for the district attorney not later than 12:30 or 1 o'clock, and that it would then be up to him to prepare the information and secure capiases for the accused.

The court then adjourned to convene at 2 o'clock. At 2 o'clock the streets were lined with people and the court room was crowded but no officers and prisoners arrived. Later Judge Seeds received a message from Camp Goldfield to the effect that the officers could not get their evidence together until 10 o'clock, Wednesday, 23, and again the court granted them time.

The gaudy glare of war and the apparent domination of the military powers were again in evidence upon the opening of court Wednesday morning. Bennett avenue was again crowded with cavalry troopers and infantry. A gating gun was stationed with its muzzle pointing toward the Midland depot. A detail of sharp shooters who are recognized as the most expert marksmen, was placed on the roof of the National hotel, four stories above the grade of Bennett avenue. These men were perched upon the cupolas stationed at intervals on the roof of the building and had their guns pointed toward the streets for immediate use. The court house was guarded by men who confronted intruders with bayonets, and the citizens who attempted to cross the lines were brought face to face with the power which the militia saw fit to exercise. As soon as the train rolled into the depot half of the troopers dashed up the street with General Chase at their head and threw their lines across the frontage of the Midland depot. The prisoners were escorted to the court room with two files of infantry on either side. The troopers followed. The court room was crowded with spectators and soldiers with bayonets glistening wickedly The fact that the court should again tolerate a display which had so thoroughly angered the citizens stirred the wrath of General Engley. He informed the court that he would not proceed because of the intimidating forces present in and about the court room. He characterized the court as an armed camp and stated calmly that the constitution provides that the court shall be free and untrammeled and open to everyone for the transaction of public business. He said:

"There has befallen my duty to make the closing arguments for the petitioners. When I filed the application for writs of habeas corpus and invoked the jurisdiction of this court for the issuance of the highest writ of right known to law, I supposed that these proceedings would be heard under constitutional guarantee; but it is not so. The court may say that it is, but the facts remain that the forces of intimidation are present. The constitutional guarantee that the court shall be open and untrammeled has been invaded.

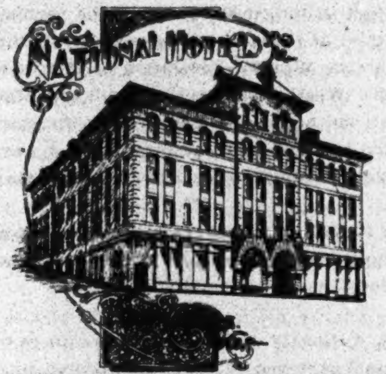
"This is no longer a constitution court. It is an armed camp. The court has been surrounded by soldiery."

After long and sharp colloques by all attorneys, Judge Seeds adjourned court until Thursday morning, and back to the "bull pen" went the prisoners.

Judge Seeds Thursday morning notified General Chase to be present in court with his prisoners before 2 o'clock in the afternoon, as promptly at that hour he would render a decision in the habeas corpus case. Chase stated that whatever the decision of the court might be, he would certainly bring the prisoners back to Camp Goldfield unless otherwise ordered by the governor of Colorado. At 1:30 the military appeared with the same old pomp, minus the gatling gun. (Formerly of Wyoming.)

After patiently listening for several hours, Judge Seeds ordered the prisoners released and handed over to the civil authorities, and gave reasons for his decision in a long and carefully compiled argument from which I quote a few:

"If the court shall err in its conclusions, it will be no fault of the able counsel who appear for and against the prisoner. Extraordinary industry has been displayed by counsel in the production of authorities, and the questions involved have been discussed with unusual ardor, eloquence and logic. As the result of counsel's labors, and the great attention and consideration



WHERE SHARP-SHOOTERS WERE STATIONED ON ROOF.

the court has given to their arguments and authorities, it feels clear in its conclusions, and can announce them without any misgiving.

"The importance of the questions cannot be over estimated. They embrace not only the power and authority of the commander of the military forces of the state over the freedom of the citizens in times of local disturbances that may more or less imperil life and property, but also the very fundamental principles of American liberty.

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"For the reason that the governor recites in the order, (see page 96) he directs the brigadier general commanding the National guard to forthwith order out the troops, etc., specified, to properly enforce the constitution and laws of the state, and to prevent the threatened insurrection and to protect all persons and property in said county from unlawful interference, and to see that threats, intimidations, assaults and all acts of violence cease and that public peace and order be preserved. I take it that what all these commands mean is that the brigadier general should, with the National guard, support and enforce the laws within the prescribed district. That the case presented by the petition required that the habeas corpus should issue as prayed admits of no question. The question is, does the executive order, admitting all that it recites as the basis for it, to be true, and that General Chase arrested and detained the prisoners by virtue of that order, constitute a justification of the act."

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"The threatened insurrection referred to in the order was in connection with a strike in the Cripple Creek district by the metalliferous miners. It is not denied that they quit work peacefully; but it was feared by some and claimed by others that in the course of the strike persons would be injured and property destroyed and that the insurrection was threatened by an organization known as the Western Federation of Miners to which the striking miners belonged. Whether the fear was well or ill founded it is not for the court to say. It will accept the statement in the executive order as the truth. It feels bound to do so from the respect which one of the co-ordinate branches of the state government should always entertain for the other two.

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"I take it to be fundamental that, except a state of war exists, a state in which all civil authority is overthrown, what is known as 'martial law' cannot exist or be declared under our state constitution"

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"Anderson's law dictionary defines martial law to be 'the law of military necessity in the actual presence of war, administered by the general of the army; it is arbitrary; it is the will of the general who commands the army; it supercedes all existing civil law; the commander is the legislator, judge and executioner; there may or may not be a hearing upon charges, at the will of the commander; it is built upon no settled principles, but entirely arbitrary in its decisions. In reality it is no law, but something indulged rather than allowed as law.' This definition is fully sustained by a multitude of authorities, and none conflict with it.

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"Then if the civil power must prevail, except, possibly, in the extreme case of actual war, and for self-preservation, can the right to the writ of habeas corpus be impaired and can a citizen be deprived of his liberty for an indefinite period of time by the will of a military commander exercised under the authority of such an executive order as respondent's return sets forth? The constitution of the United States declares that 'the privilege of the writ of habeas corpus shall not be suspended unless when in case of **REBELLION OR INVASION** the public safety may require it.' This is, in effect, the same as the habeas corpus provision of the Colorado constitution. This writ is the remedy which the law gives for the enforcement of the civil right of personal liberty, and any other person whomsoever, upon any pretense whatsoever, has a right to have this writ issued by a court commanding the person holding him in custody to bring him before the court for inquiry as to the cause and legality of his imprisonment, and if illegally restrained of his liberty, the prisoner is entitled to his discharge.

***

"Were this court to admit that civil power is overthrown in Teller county it would be in conflict with its unaffected consciousness to the contrary. Its courts are open; its decrees are respected; its officials are capable, earnest and law-abiding persons, and no evidence has been brought to the court's attention that the violators of the law will not be proceeded against with vigor and promptness. Though there were evidence of some indifference or neglect in the performance of duties by some of the officers of this court, that would be no proof that civil power within the county was overthrown. Were it so, civil power would be overthrown in too many states and counties of the country. The constitution of Colorado declares 'that the military shall always be in strict subordination to the civil power.' Not sometimes, but 'always.' There could be no plainer statement that the military should never be permitted to rise superior to th civil power within the limits of Colorado.

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" 'The soldier, as well as every other citizen, is subject to the law of the land. The militia have no other or different powers than peace officers by law have under the same circumstances, except that they may act as an organized body. That an act was done by military order or order of a governor is no defense unless the order itself be one conformable to law.'

***

"I cannot and will not subscribe to such a doctrine. For me to do so would make me particeps criminis in the overthrow of a free government in Colorado, and to substitute for it an absolute monarchy. I do not say that when called into the field by the governor in an emergency, the military commander may not arrest those who are participating in lawlessness he is directed to suppress; but I do say that when such an arrest is made the prisoner must, with reasonable speed, be turned over to the civil authorities, with the cause of his arrest made known, that the civil authorities may proceed against them under the forms prescribed by the constitution and laws for the prosecution and punishment of his offense."

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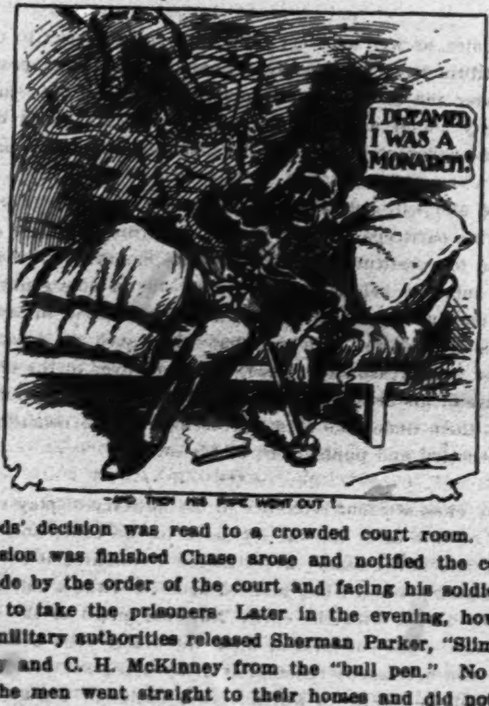
"I cannot close without reference to the military display committed with the hearing of this case. It was offensive to the court and in its opinion, unwarranted and unnecessary; nevertheless, I tolerated it because it was by the National guard, and if I had insisted upon its withdrawal, a conflict would have probably arisen with the entire National guard of the state upon one side and a mere posse commitatus upon the other. The hearing of the case would have been necessarily indefinitely delayed, a great wrong to the prisoner and a denial of the justice to which he was entitled. I trust that there will never again be such unseemly and unnecessary intrusion of armed soldiers in the halls and about the entrances of an American court of justice. They are intrusions that can only tend to bring courts into contempt and make doubtful the possession of that liberty that is the keystone of American governments. It follows from what I have said that, in the opinion of the

court, upon the facts stated in said petition and the return of the respondent, the return ought to be squashed, and that the said Parker ought to be discharged from custody as in said petition prayed, and it is so ordered.

The cases of James Lafferty, C. H. McKinney and Charles Campbell, relators, vs. the same respondents, by stipulation stand decided as the case of Parker and the said James Lafferty, C. H. McKinney and Charles Campbell are ordered to be discharged from custody as in their respective petitions prayed."

"WILLIAM P. SEEDS, JUDGE."


I DREAMED I WAS A MONARCH!

—AND THEN HIS PIPE WENT OUT!

Judge Seeds' decision was read to a crowded court room. Immediately after the decision was finished Chase arose and notified the court that he would not abide by the order of the court and facing his soldiers, he commanded them to take the prisoners. Later in the evening, however, about 8 o'clock the military authorities released Sherman Parker, "Slim" Campbell, James Rafferty and C. H. McKinney from the "bull pen." No explanation was given. The men went straight to their homes and did not even tarry at union headquarters. This news came as a startling surprise to everybody, since just a few hours before the officers had defied the order of the court and refused to release them. The supposition is that this was done in compliance to a telegram from Governor Peabody instructing Chase to comply with the order of the court.

Mrs. Sherman Parker, who sat by her husband during the reading of the decision, screamed and grasping her husband, fainted. The soldiers immediately grabbed Parker and pulled him away from his wife and created one of the most heartrending scenes ever witnessed in a Teller county court room. Mrs. Parker was in a dead faint for twenty minutes, and her husband begged to be permitted to remain by his wife, whom he declared to be dying but was refused by Chase, who also, it is claimed, refused her medical assistance, laughingly claiming that she was all right and would soon recover. Senator Patterson was near and admolished the soldiers to leave the man with his wife until she could recover, which a lieutenant in charge of the prisoner finally agreed to do. The court room was then cleared and Mrs Parker finally recovered and her husband was taken back to the bull pen. Tears came to the eyes of many who witnessed the scene, and it was with difficulty that order was restored, which was accomplished by the suggestions of Mr. Patterson.

In what country do we live? Surely not in the United States, and yet the governments of Russia or Germany or Turkey or Austria would break the swords and strip the epaulets from the shoulders of the officers who would dare to commit such an outrage upon their people.

Think for a moment! Suppose the story came from England or France or Germany that because the workmen of some province had gone out on a strike, without disorder of any kind, troops were hurried to the locality and the province was harried by them. That the homes of the citizens were invaded by the soldiers at will; that the commandant caused dozens of workmen to be arrested and cast into prison without charge or offense; that the halls of the workmen were broken open and invaded; that the citizens were forcibly carried at midnight to the commandant's tent to be warned that they must not express displeasure and then insultingly dismissed; that when the courts sought to inquire why innocent men were held in prison the courts were invaded by scores of armed men who sat throughout the sessions with bayonetted and loaded guns in hand to intimidate the judge; that they threw lines of soldiers across the streets and sidewalks, allowing no citizen to pass except permission from an officer was first obtained; that they planted gatling guns in the center of the busiest thoroughfares to menace the public; that they stationed trained sharpshooters on the tops of buildings ready to pick off some chosen victim; that the court, after patiently hearing and delivery of a sober and unanswerable opinion, ordered the prisoners to be given their liberty, the commandant defied his order and, with gatling gun and clanging sabres, marched with the prisoners out from court—what would we Americans thought and said? We would have thanked God that we lived in free America under a written constitution that contained a bill of rights which made such doings impossible. We would recall that in free America every man's house is his castle; that his liberty is held more sacred than any number of dollars, and that, except when found in the commission of an offense, no man dare deprive a citizen of his liberty without charge or warrant. We would denounce the government that permitted such outrages as a despotism that should be overthrown if relief could be had in no other fashion.

The rot of it all is an unholy and dastardly contract between the governor of the state and a dozen wealthy mine owners to turn over to them the full, strong arm of the military's power to crush out—not disturbance, for there has been none: not insurrection, for there has been none: not a conspiracy to in anywise impede the due execution of the laws of the state, for there has been none; but to stamp out the life of as legal an organization as ever existed in any country and whose members are the strong, courageous, industrious men who have brought the wealth of the mountains to the markets of the world, and who, in case of menace to the government from without, would comprise the front ranks of an army pledged to die, if necessary to preserve it.

There is not a man or woman in Colorado who loves the state and its free institutions, but should condemn the crimes against law and peace and personal liberty, that have been perpetrated hourly and daily in Teller county, with the conivance and approval of our governor.

CITIZENS FORCED FROM SIDEWALKS BY FEAR OF DEATH.

One of the greatest, I will not say the greatest, there were so many indignities offered the citizens of the Cripple Creek district, was on Sept. 20, when there was, on a beautiful Sunday afternoon, hundreds, and I might say thousands of men women and children out driving or walking in the streets of Victor. A couple of troops of cavalry under command of General John Chase, escorted to the Gem restaurant about a dozen imported non-union men to feed them as if they were cattle. The people that were out noticed the troops in front of the building and, out of curiosity, of course, walked in that direction. We had grown accustomed to these military exhibitions and had learned that a gathering of this kind usually meant the imprisonment of someone closely in touch with the death penalty—unionism. So the reader will at once realize it was only natural for us to want to know who the latest victim was. The writer, among the others, was out that day and with the rest of the curious crowd moved toward the fast gathering throng. Suddenly the military charged upon the mass of men, women and children and herded them like wild beasts upon the sidewalks. Then the militiamen not satisfied with this galloped down the pavements, horses prancing and rearing, and forced the people before them. The people ran for their lives; hurried up stairways, into saloons, billiard halls and every available place to avoid being trampled under foot by the horses, maddened by the yokel's spurs. The writer, with her husband and many others ran into a billiard hall to get out of the way, and even then for a time it seemed as if the soldiers would ride into the building. I, an American born woman, was an actual eye witness to this scene, in the streets on a Sabbath afternoon, in a town in the United States of America, and all done in the name of law and order and by order of the governor of the state of Colorado—is it possible—I can never expect people who did not see the act to believe it. I for one, would not have believed that American born citizens could control themselves and stand by and look at such a sight. There was one thing in particular that caused my southern blood to boil, there was an old man—yes an old soldier—in the street, and when the crowd was being hurried down the street at the point of bayonets, the old fellow could not move as fast as the militia thought he should, so one of them drew his sword and ordered him to move faster, and in order to hurry the feeble but REAL soldier, pricked him a few times in the back. I tell you I felt every drop of blood in my body boil! Ye Gods! how could those good, true, law.abiding men—mostly union men—control themselves? But they did, and went quietly home with their families. I marveled at what I saw that day. There were many people from out of the district on the streets and witnessed the foregoing. One man, from Florence, in speaking of the episode, said he had never seen anything so outrageous, and that the miners were sure to win, as that proved beyond a doubt that the law breaking was on the other side and that the people here had demonstrated to him that they were the most law abiding he had ever met.

The end of this disgraceful chapter of one of the many uncalled for exhibitions of brutality of the military was that a dozen non-union men came out of the restaurant and were marched like so many criminals, with the state troops on either side with General John Chase at the head of the procession, off to some mine, not to break ore, but to try to break the strike. The officers of the militia and the mine owners both knew the union men of this district too well to ever think they would harm one of those strike breakers. There could have been but one reason for the military escort furnished the non-union men, and that must have been that the mine owners had secured the most of them by misrepresentation and guarded them lest they get a chance to escape. The owner of the restaurant was out of town at the time and upon her return secured possession of her building by legal process. The military, it is claimed "captured" the building by force of arms to feed non-union strike breakers.

REPELLED THE CHARGE OF A BURRO.

One of the laughable incidents of the "Rebellion" occurred Sept. 21 when one of the sentries near Strong's camp saw an object approaching him in the dark. He called "halt!" but the frightful object did not halt and he opened fire on the still advancing "enemy." Other sentries joined him and in all about twenty-five shots were fired before it dropped. Upon investigation they found it to be a burro (Rocky mountain canary) that had been wandering around but while they were shooting they created great havoc in Strong's camp. One house had at least four bullets put through it, and another had three. Both the houses had people in them, and of course they were badly frightened.

The affair created so much amusement that it was immortalized by the muse in the following poem by Mr. McCormick:

Ah! General Chase, you do not grace
  The calling of a soldier.
If now, we had a foe to face,
  We'd need a leader bolder.
In spite of all this grand display
  Of armed intimidation.
More fit for "Roman holiday"
  Than serious occupation.

Ah! General Chase, we think your place
  Is just a little lower;
You really ought to slack your pace,
  And go a little slower.
Remember in this altitude,
  We're pretty close to heaven,
But only those who're very good
  May hope to be forgiven.

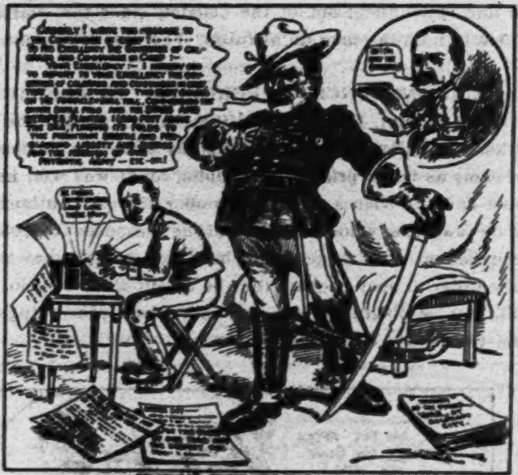
Ah! General Chase, 'tis our solace,
  We still preserve our manhood,
In spite of guns, or tarnished lace,
  We hope to make our stand good;
And keep within the bounds of law,
  Of common sense and reason,
Your troops you safely may withdraw,
  And there will be no treason.

L' Envoi.

Ah! General Chase, a horrid case,
  This murder dark and bloody;
A sentry from his lurking place
  Has shot a "wanderin' Cuddy."
No doubt you'll call it "martial law,"
  'Twas foul ass—ass—ination.
Because Ned did not cry "He-haw,"
  You turned him into "ration."

MILITARY ARRESTS BECOME NUMEROUS.

From Sept. 18 it was impossible to keep a record of the arrests and releases. A. J. Frey, a member of 32, but working at the time as a clerk in the Union store, was dragged to the bull pen, as was Emil Johnson, Chas. Beckman and Victor Poole. (No charge) They were released Sept. 21. On Sept. 22 the roster of the bull pen was Sherman Parker, Pat Mullaney, H. H. McKinney, "Slim" Campbell, C. G. Kennison, Thos. Foster and James Lafferty. Joe Lynch, marshal of Independence was arrested Sept. 25 and released the



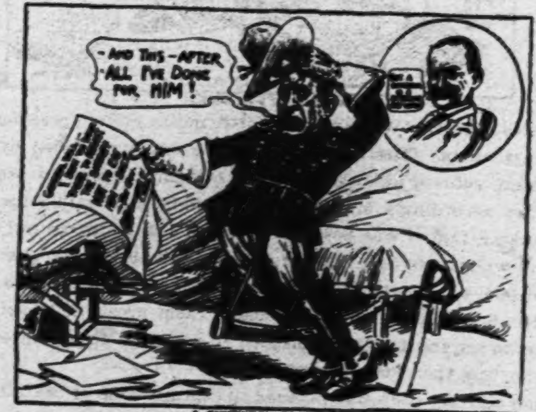
COLORADO'S GREAT WAR CHIEF.

next day. (No charge.) William Dodsworth, newly elected president of No. 32, was the next victim. His home in Goldfield was surrounded by the militia but they were refused admission. They evidently feared to break into the house. They accordingly stayed there all night and waited for him. Dodsworth, thinking that it was possibly a case of being starved out, became impatient and walked out and allowed them to take him. He was hastened off to the bull pen, but on the 26th was released and allowed to go home . (No charge.) His first impression was to make them break in to get him, but it grew monotonous and he finally decided to see what they wanted and would do with him, and therefore surrendered.

A grand military coup was planned to capture some of the Altman miners, (No. 19) The plan was to wait until about 9 o'clock, when the largest attendance would be present, and rush up, surround the hall and arrest the whole union. The plans were carried out except that when 200 troopers reached Altman, they found the hall well lighted, and hastily surrounding the place, the guards were stationed at every entrance and a detail of officers and troopers were dispatched up stairs. What did they find? That's the question to ask them. The miners had evidently outwitted them. Someone had whispered the secret and when the kidnappers reached the door and rapped they heard not a sound or whisper. Trying the door they found it unlocked and with fixed bayonets they charged into an empty hall room. The miners had been there and held their meeting and adjourned, and there was a sorrowful lot of soldiers there for a few minutes. It was their intention to arrest certain men and spirit them out of the district, since the courts here would not allow them to hold the men unlawfully." The best laid plans of mice,"etc.

BELL ANNOUNCES SUPERIORITY TO COURTS.

General Bell, on Sept. 26 announced that he had heeded the last order of the civil authorities unless otherwise ordered by Governor Peabody. This announcement came as no surprise to the public, for it was well known that he could not hold down to such a strain as to obey the civil authorities. He believed that he was the whole thing, and he proposed to follow his own desires in the matter. It was generally believed, though, that when the governor sent the order to obey the law that he meant what he said, and that the district would not be disgraced with any more such proceedings as were enacted around the courts a few days before.



A SHATTERED DREAM!

RESOLUTIONS BY GOLD COIN CAMP, M. W. A.

Sept. 23, at a meeting of Gold Coin Camp, No. 8072., M. W. A., of Victor, with a membership of over 300, the following set of resolutions were adopted:

"Whereas, The members of Gold Coin Camp No. 8072, M. W. A., feel it their duty to inform the neighbors of this and other states, of the true conditions of the situation in the Cripple Creek district and to show them how grossly the citizens of this community have been misrepresented and how the laws of this fair state of Colorado have been willfully broken by those whom we placed in power to uphold them, and,

"Whereas, The governor of this state, at the request of certain corporations, has sent to this county several companies of state troops with gatling guns, and all the usual parphenalia of war, for the purpose of quelling riots that never occurred and protecting property that was never endangered, only in the imagination of those favored corporations. The state troops being sent here without the consent of the sheriff of the county, and

"Whereas, The state troops without preferring charges or warrant of law, caused the arrest and detention of some of our law abiding citizens for no other reason than they were members of an organized body, known as the Miners' Union. At no time since the strike was declared has there been any unlawful acts committed, as the police records will show, and the city council of Victor dispensed with one of the regular policemen, there being nothing for him to do. Therefore be it

"Resolved, That Gold Coin Camp, No. 8072, Modern Woodmen of America, in regular session assembled, condemn the action of Governor Peabody for sending the state troops to this district in time of peace at the request of the Mine Owners' association, and allowing the Mine Owners' association to advance the money to pay the state troops while here, making it possible for any monied corporation to hire our state troops whenever necessary for the furtherance of their interests.

"Resolved, That we condemn the action of the state troops for arbitrarily taking the rights of the civil authorities and arresting citizens without preferring any charges against or giving them any trial, but holding them prisoners in a tent known as the 'bull pen,' and doing unlawful acts such as are only tolerated on Russian soil.

"Resolved, That we condemn the action of Frank D. French, the mayor of Victor, for willfully misrepresenting conditions existing here at this time, and after reducing the police force which would not be done in time of trouble.

"Resolved, That a copy of these resolutions be sent to the Modern Woodmen. Also to the press of the state, that the blame for calling out state troops in time of peace may be placed where it properly belongs and the guilty ones receive the severest condemnation of all law-abiding citizens.

"(Signed) COMMITTEE. W. H. MORGAN, Clerk pro tem.

There were dozens of similar resolutions passed by lodges and unions, but space absolutely forbids their publication.

DEMOCRATS NAME TICKET AND CENSURE MILITARY.

The Democrats of Teller county met in convention on the 26th and nominated candidates for county offices. I quote in part resolutions adopted:

"Under the Democratic banner is the natural place for the common people. An object lesson is found at our threshold. The Democratic party gave the state an Orman, and the threatened trouble at Telluride and other places in the state was averted without bloodshed and in justice to operators and miners alike. The Republican party aided by a few mercinary masqueraders in workingman's garb gave the state a Peabody, who, in a little over eight months, has called out the National guard twice to aid his plutocratic friends.

"Those who believe that the affairs of the state should be administered for all the people alike; that the National guard should only be called out when necessary; that the purposes of the militia is primarily to aid and assist the civil authorities in the maintanance of public peace and enforcement of the laws, as declared by our constitution, and not for the purpose of superceding and over-riding them. That the sending of the state troops under existing circumstances, is a lamentable prostitution of the purposes for which the National guard was organized.

"The Democratic party of Teller county, being in a position to know, hereby solemnly declares, for the benefit of those who have been misled by false statements sent broadcast, that this is, and has been, a peaceable community; that the presence of the military was not necessary, and that the foulest sort of slander upon the good name of the district was resorted to in an attempt to justify the call to arms; that there has been no crimes committed here that the civil authorities have not been capable of handling, and we denounce the many acts of the military officers, who, in their recent martial display on the public streets and in the courts have outraged public decency, and offended the dignity and intelligence of all fair-minded citizens.

STATEMENT FROM SMELTERMEN'S UNION NO. 93.

I must now ask pardon of my readers for digression from consecutive data and go back to the Smeltermen's strike, and give in full the repudiation of the statement by J. B. Grant, of the American Smelting and Refining company that the EMPLOYES of the companies, both Grant and Globe, had not asked concessions. It follows:

"To the Public:—Having seen Mr. J. B. Grant's statement (as published in the Denver Post in its issue of Dec. 2, 1903,) in regard to the present strike at the Globe and Grant smelters, and, realizing that J. B. Grant made this statement for the purpose of justifying the course the American Smelting and Refining company has pursued toward its former employes, and knowing that his statement is false in every particular, we have concluded to refresh Mr. Grant's memory.

"Mr. Grant is reported as saying 'If the smeltermen had presented their claims to the company they would have been heard; but the fact that they entrusted themselves to the American Federation of Miners and sent their third parties to the company—parties who do not own one cent's worth of stock—and have them make a demand on the company and attempt to give us instructions as to how to run our business, changes the matter."

"Now let us get at the facts—and to do so we want to ask Mr. Grant if these are not the men that waited on the company officials and asked an eight-hour shift:

"JOE SCOTT, Globe Smelter; ANTON STANSKE, Grant Smelter; ROBT. WITHERS, Globe Smelter; PATRICK HANIGAN, Globe Smelter, WM. L. SMITH, Globe Smelter; HANS OLSON, Grant Smelter; CHARLES MARDIS, Grant Smelter?

"These men were at that time, and had been for years, in the employ of the company and had to ask for a day off to go to see the officials of the American Smelting and Refining company. This committee presented their petition to the company on the 17th of June. Mr. Grant was in the office, read the petition, and informed the men that Mr. Guiterman, the manager, was absent in the East and asked that the matter be deferred until his return. When the manager returned to Denver a committee waited upon Mr. Guiterman but failed to receive any concessions. The manager, in a long article to the Denver papers, stated his reasons for refusing to comply with the request of his employes. The committee, in answer to the manager, made a brief statement, which is as follows:

"Denver, Colorado, July 2, 1903.

"Mr. Franklin Guiterman, General Manager American Smelting and Refining company, Denver, Colorado.

"Dear Sir:—We notice in the newspapers that in your reply to our request for the establishment of the eight-hour day in the smelting plants of your company in Denver, you base your refusal of such request solely on the proposition that it will increase the cost of production and may possibly interfere with the continued operation of the mining industry in Colorado.

"In reply, let us state that in our request not one word was said as to wages to be paid under the eight-hour system. We have no desire to interfere in the slightest degree with the operation of mining development in this state or the profitable operation of your company. But what we do say is that twelve hours a day is too long for men to labor under the unhealthy conditions surrounding smelting of metalliferous ores. We want the eight-hour day. As to the wages to be paid under the same we are willing to enter into a conference with you or any representative of the American Smelting and Refining company for the purpose of arriving at a satisfactory adjustment of a wage scale for eight hours' work. We will do this, or, second, the men employed in your smelters will choose a representative and the company to choose its representative and those two to choose a third person, the three to arbitrate the differences as to wages, and to fix a scale to be paid for eight hours work. We are at all times desirous of settling this question and any and all differences arising therefrom in a harmonious and conciliatory manner and without the stoppage of these plants.

"Kindly let us have an answer to this proposition as soon as possible.

Respectfully,

"JOE SCOTT, ANTONE STANSKE, ROBERT WITHERS.
WILLIAM L. SMITH, HANS OLESON, CHARLES MARDIS."

"Does this look as though the smeltermen sent a third party to the company? Or does it have the appearance of honest employes asking for a fair hearing from their employer?

"It has not been our policy to run to the newspapers with our grievances, but we cannot let this matter pass without refuting these mis-statements made by Mr. Grant. BY THE COMMITTEE."

During these strenuous times the muse was frequently called to express the sentiments of the general public to the actions of the military. I reproduce a few:

THAT GOVERNOR.

Come all ye merry voters, and listen to my song,
'Tis about a chief executive and won't detain you long.
He was chief in Colorado, in the great Centennial state,
But his administration was so rank, it grew to be a fake.

He had an adjutant general who wasn't worth a ——
He sent him up to Cripple Creek the union men to dam.
And now his doughty general did much bravery back,
For he charged up San Juan hillock just behind a "coon's" broad back.

The chief's spectacular adjutant on Bull hill placed two guards,
And then proceeded to run in old miners, and their pards;
He stated to his chieftain that the "Stars and Stripes now wave
O'er the lofty town of Altman, and the land of freedom(?) brave."

In Colorado City he fought another "war."
They thought him there a nuisance, we think him here a bore.
For military supervision causes most of us to blush.
We'd like to see our miners win with a bob-tail and a flush.

The only case of rioting that yet has taken place,
Was one man cussed another one and smashed him in the face.
Then up the peaceful thoroughfare of our quiet mountain town
Meeker's cavalry went riding, with firearms loaded down.

It was at this critical moment the chief did have a hunch,
For he handed to his adjutant a very generous bunch.
"Sent you up to Cripple Creek law and orded to help keep,
The worthy sheriff to reinforce, and not the man to eat."

Now into your conscience look and see with what you're armed.
If it's mining stocks or Winchesters, you're sure to not be harmed.
And let your conversation be circumspect and shy;
If guilty of "military necessity" you'll in the bull pen lie.

There grows in old Missouri a fruit that's mighty tall;
And like a political harvest, it is gathered in the fall.
And now with labor matters our governor has had his sport,
But at the next persimmon harvest, he'll find his pole to short.

OUR LITTLE TIN GOD ON WHEELS.

Colorado can boast of her climate and springs;
Of her scenery we love to tell,
But our adjutant general's our crown and pride,—
The world renowned Sherman Bell!
Hooray! Hooray! To our joy today!
We've a little tin god on wheels!

The United States is his stamping ground
And "Teddy" runs quick to his call,
While Governor Jim wriggles under his thumb:—
He bosses them one and all.
Watch out! Be sure and shout
For the little tin god on wheels!

It was he who flew to suffering Cuba's aid,
And pushed the 12th out of the way—
'Twas he alone charged up that bloody San Juan
And saved the whole country that day.
Oh! Despair! If he hadn't been there!
Our little tin god on wheels!

Who stood by long suffering, down-trodden MacNeill,
(Was it made worth his while, do you 'spose?)
When the plutocratic workmen made shocking demands,
And threatened to tread on his toes!
"Arbitrate? H——! I'm Sherman Bell!
The little tin god on wheels!"

At St. Louis our glorious adjutant shone
With his colonels in glittering array.
If he went to the club with his spurs upside down
Why, he probably preferred them that way.
'Bout face! My! the gold lace!
Our soldierly god on wheels!

Oh, a self-made man is our General Bell,
A detective but a short time ago.
When he murders his English, we n'er crack a smile—
For he surely must think it a foe.
A sleuth, raised forsooth,
To be Adjutant General Bell!

GEORGE E. KYNER, MANAGING EDITOR VICTOR DAILY RECORD.

The Victor Daily Record Kidnapped.

Tuesday night Sept. 29, at 11:05, the busiest hour on a morning paper, the Victor Daily Record, which had espoused the cause of the striking miners, was raided by the militia, and the entire force at work was "captured." The linotypes were humming, "catching the elevator" on every line, the foreman was fuming and "rushing," proofs, for "first side down" and first "forms" must go to "press" at 11:30. Suddenly the door of the composing room flew open and in stalked Tom McClelland with the air of a "conquering hero," followed by a file of yaping yokels dressed in the garb of soldiers and armed to the teeth. "Halt!" yelled the fierce Tom. "Ground arms!" "Fix bayonets!" "guard the entrances!"

"What the h——!" says the foreman, "having a fit?"

The operators merely shifted quids, "brought down" a period and "sent in" the line.

"Private——— step forward!" roared "Thomas of the shining tin," "identify the force!" A long, lank specimen of the genius homo, red headed, with a scraggly, three week's growth of red fuzz that might have developed into red whiskers, had the soil from which they sprouted been fertile, shuffled from the ranks and in a hang-dog manner pointed his grimy finger at the foreman and the two linotype operators. This aforesaid specimen had been in the office the night before and had claimed to be a printer; and from his conversation he might have been at some time a janitor in a "print shop" or roller washer in a press room—but printer—oh, no. He was informed in plain, understandable English that if he had business to make it known, if not, conversation was a waste of time. He left and the "force" all said, "we're spotted for the 'bull pen' sure."

"You're all prisoners of war!" bellowed Thomas, but the "mills" kept "turning over." "Get up!" hissed the major of majestic mein.

"Who the —— are you?" calmly gurgled one of the operators.

"I'm Major Thomas E. McClelland, of the Colorado National guard!"

"Oh, my! does it hurt so very much?" In pitying accents from the operator, my husband.

"Sergeant seize that man!" gasped Thomas of the guard.

The "sergeant" pushed a wicked looking bayonet toward the operator's neck and he had to "send in" a "short line."

Mr. Kyner, the managing editor, then stepped into the composing room and asked what was wanted. McClelland stated that he had arrested the "force" and wanted him, too. "All right," said Mr. Kyner, "I guess you have me."

"Me too," said Mr. Sweet, the circulator.

"That's all," said the "genius homo."

"Well, it's a clean sweep," said Mr. Kyner, "May I telephone my wife?"

"You'll have to hurry," quoth pomptuous Mac.

"Who'll get out the paper?" asked Richmond, the foreman.

"McClelland laughed and said, "We'll send printers down from the camp and get it out for you."

"Oh no you won't," said Richmond, "It takes printers, and printers don't bunch in your corral."

With that the Record force was marched to the "bull pen" under an "honorary" guard of two companies of infantry, two troops of cavalry and, perhaps, the gatling gun, (late of Wyoming.)

At that time I was at home in bed and Mrs. Kyner came to my home and rapped at the door. I opened the door and she asked me if I had heard the latest. I replied that I evidently had not, and she informed me of the arrest of the Record force, and asked, "What shall we do?"

"Do!" said I, "get out the paper of course." "Just the thing," said plucky Mrs. Kyner. "I'll notify Mr. Miller," and away she flew in the darkness. We realized instantly that a strong effort had been made to suppress the liberty of the press, and determined forthwith that the entire military force of Colorado should not keep the Record from making its appearance as usual.

I believe I broke all records in dressing, for in less than two minutes I was running through the dark alleys on my way to the Record office, five blocks away. On the way I kept a close lookout for soldiers. I did not know how I would get into the office. My one thought was that I would get in in spite of all their efforts. Under the belief that the pressman had been arrested with the others, I planned to take "stone proofs" of the "forms" and save the issue in that way. I also bethought me of the Teller County Banner office, and had the emergency demanded, would have broken in there, printed a Record on the "Job" press and so saved the issue.

I was much relieved when I reached the office and found that I had arrived there before the militia had completed arrangements for guarding the plant, and with the aid of Mr. Miller and Mr. Conrad, the pressman, who had been summoned, was quickly inside.

We locked, bolted and barred the doors. This was not accomplished an instant too soon, for in another minute we had the satisfaction of seeing soldier faces peering through the window panes. In vain they pounded on the doors, demanding entrance "in the name of the governor of the state of Colorado." They were informed that the "governor of Colorado" was not running the Record, but in the absence of Mr. Kyner, Mr. Miller was, and that they would not get into the office unless they broke in, which they did not attempt to do.

A. Q. MILLER, BUSINESS MANAGER VICTOR DAILY RECORD.

This well repaid me for my flight through the streets attired in a thin dressing gown and unlaced shoes, with no wrap of any kind. It was bitter cold here, too, at that hour of the night.

I quickly "manned" one of the linotype machines and set type to the last moment, (I had set three "galleys" in the afternoon and my husband and brother-in-law had "gotten up" all the "grape vine" before the raid.) Mr. Miller made up the forms and—the pressman did the rest. At 3 o'clock a. m. a fairly good issue of the Record lay before us, and above all ON TIME. Across the top in big, black letters appeared the very forceful legend:

"SOMEWHAT DISFIGURED, BUT STILL IN THE RING!"

I then went to my home and prepared a lunch for Mr. Miller and Mr. Conrad, which I took to the office for them. I then took a paper fresh from the press and went to Mrs. Kyner's home and everything being still and dark, I pushed a copy under the door, so that when she awoke she would know that the Record had been issued. I then returned to the office and found that the carriers, finding the doors locked, had left. I immediately hurried out and ran down the alley, finding two of them several blocks away. I told them to tie their horses some distance from the office, get the other boys and quietly slip in, as the paper was ready for delivery. I returned to the office and reported to Mr. Miller that I had secured the carriers.

Now that everything was safe, as far as the paper was concerned, I went to my sister's (Mrs. F. W. Langdon) home and awoke her and told her the news. By this time dawn began to break and I bethought me of my appearance, bareheaded, hair down, in loose dressing sacque and unlaced shoes.

I hurried home, dressed myself in street attire and returned to the office. Through it all my one thought was how glad Mr. Kyner and the imprisoned force would be to see the Record at 6 o'clock, and I determined to get through the guard line and deliver it to them myself.

I took the papers and stuffed them into my waist, my sleeves, under my belt and in the lining of my jacket, and started for Camp Goldfield, where the force, including my husband, was imprisoned. I arrived at the guard line just as the Gold Coin whistle blew 6 o'clock.

I heard, while standing at the guard line, one officer say to another: "There's one good thing that d— Record will not come out this morning.'

"Why?" the other officer asked in surprise.

"We have the whole —— —— force in the 'bull pen,' and we are going to keep them there, too," was the reply.

These tinsel heroes evidently had no respect in their choice of language in the presence of a woman. I could not stand this talk any longer, and spoke up and said that I guessed that he had not seen the morning paper.

"Oh, yes," said he we have the Morning Times."

"I mean the Record," I said.

"I guess you are not aware that the Record force is all in the bull pen," he answered.

I said that I was very well aware of that fact, "and allow me," said I, "to present you the Morning Record for yourself and men."

The officer took the paper, and, looking it over, finally broke out with another volley of oaths, beginning with "who the h"—— but before he had time to finish the sentence I answered:

"I did, and I expect I shall be your next victim."

I had just overcome the red tape formalities of getting through the lines when I received a message from my husband that they were all "O. K." and that I should "waste no time trying to see them, but to get back to that office and get the Record out in spite of everything."

I knew that they were depending on me, so I hurried back and started composition on another issue. I worked continuously until 11 o'clock that night, when the "regular" force came into the office, having been released and again ready for business.

Now I will invite the reader to take a trip to the military prison and see how fared the Record prisoners.

These prisoners were marched unceremoniously to the bull pen. Armed thugs forced them into a filthy and squalid little tent, absolutely barren of furniture or bedding, where they were told to stay under penalty of having their heads blown off if they appeared an inch outside of the entrance.

RECORD FORCE IN BULL PEN.

Left to right, F. W. Langdon, Linotype Operator; Chas. G. Langdon, (husband) Linotype Operator; Geo. E. Kyner, Managing Editor; W. L. Sweet, Circulator; H. J. Richmond, Foreman; Soldiers with loaded winchesters on guard.

The night was bitterly cold and on that frigid mountain side, under the intimidating guard of a horde of armed assassins, the working force of the Victor Record passed a night of torture equal to anything ever devised by the Spanish inquisitors. The entire force will bear testimony that the treatment accorded them was so inhuman and revolting as to surpass the belief of American citizens.

The "bull" tent had just been vacated by a number of drunken soldier prisoners, who had vomited all over the interior. The stench was sickening, but there they were forced to lay, without even so much as a gunny sack to protect them from the cold. Shortly after sunrise they were told to come to "breakfast." Emerging from the filthy kennel they were escorted to the mess table a short distance away. A dozen guards kept them covered with guns loaded with riot ammunition while two grimy negro cooks dished out a little slop on tin plates and told them to eat. There were no knives, forks or spoons at hand. "Use your fingers," said the head negro when remonstrance was made.

Beneath the table were a number of wash boilers and buckets filled with the accumulated garbage of several days and the stench arising therefrom was nauseating enough to insult the gizzard of a buzzard. It is quite needless to state that they had no appetite.

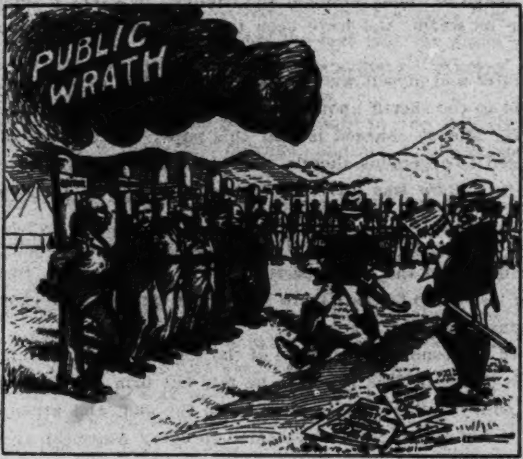
They returned to the tent hungrier and more distressed than ever. The day was raw and cold and they were chilled to the marrow. Faint and sick Mr. Richmond approached the captain of the guard and implored him for God's sake to obtain some blankets. His appeal was cut short with an oath from that dignitary.

A little later a murderous looking gatling gun was drawn up, trained on the prisoner's tent, and they were subjected to the nerve rending ordeal of posing as targets. The excitement attending this outrageous intimidation completely unnerved some of them.

Attorny Tully Scott, formerly of Kansas, succeeded in getting them liberated through some legal procedure and after unwinding a few miles of military red tape the commanding general turned them over to Sheriff Robertson of Teller county, when for the first time they learned that they were defendants in a libel case.

It was a deliberate plot to suppress a paper for telling the truth about the uniformed hirelings who were guilty of the outrages above mentioned.

The excuse for the taking of the Record force was that in the issue of the day before, there was an article of about six lines which referred to two tools of the mine owners as ex-convicts. It was learned that in the case of Vannick it was true, but Scanlon, with all his faults, had not, as yet worn the stripes. However, there was a correction coming out the following



morning. The whole truth of the matter was that the military was watching every movement of the Record foı a chance to raid the office. The real reason of the military raiding the office at that hour, was to suppress the official organ of the Western Federation of Miners. The district had only the one paper that stood up for the cause, and of course the enemy did not have a very warm feeling of friendship for the Record. The reader will at once realize that even had the editor been guilty of criminal libel the operators or the mechanical force could not legally be held responsible. But when the military endeavored to suppress the Record they reckoned without their host. Again the writer will quote: "The best laid plans o' mice," etc. The writer would advise the warrior Chase, when he again undertakes to suppress the press, to not only arrest the force at work, but every living printer in the county—and it wouldn't be a bad idea to carefully guard the cemeteries, for the press is a hard game to beat—even by a warrior of the ability of Chase, as he has doubtless discovered.

Upon Mr. Kyner's arrival at the office he wrote the following statement which appeared editorially:

A STATEMENT.

"Tuesday night, at about 11 o'clock, General Chase, commanding the National guard in person, and with a detachment of cavalry, surrounded the Record office, and without statement of cause, arrested the entire force.

"I prevailed upon the command to leave our boy in charge of the office and building.

"We were taken to Camp Goldfield and confined in a tent without bedding or fuel to keep us warm, and have been to this hour without sleep in consequence.

"My associates and myself were released at about 10 o'clock last night, or rather delivered to the sheriff upon warrants charging us with criminal libel.

"The specific offense charged is that this paper, in its issue of Tuesday morning, charged two persons therein named with being ex-convicts. It appears that in this there was an error in that but one of these persons is an ex-convict.

"This error was discovered early Tuesday morning, and I made the statement of the mistake to the other person and of my intention to correct it in the morning issue. So far as I know this is the only specific charge placed against the management of this paper.

"The Record has espoused the cause of the toilers in the pending struggle. It has been the policy of this paper to be fair but firm in this cause of the miners. This policy will be firmly pursued to the end, and arrests and imprisonment of every sacred right vouchsafed to every American freeman will not alter our course.

"The troops returned to the office after taking us to the camp and it was only under lock and key that my business associate, who had been called to the office in the meantime, preserved the legality of the paper by such an issue as he could get out under the circumstances.

"It remains for the press and people of Colorado and the nation to determine whether or not human liberty and the liberty of the press longer exist. G. E. KYNER, Managing Editor."

October 1 District Union No. 1, executive committee W. F. M., issued the following official statement:

OFFICIAL STATEMENT.

"At 10:45 last night the office of the Victor Daily Record was raided by the military authorities and Mr. Geo. Kyner, managing editor and his force, consisting of Mr. W. L. Sweet, local editor; the two Langdon brothers, machine operators and Mr. H. J. Richmond, foreman, were dragged to the 'bull pen.'

"It is regarded by the committee as only one of the many outrages committed on the community since the advent of the militia in this district.

"If, as claimed, a criminal charge is to be preferred against Mr. Kyner, he could have been easily found at any time, it was quite unnecessary to march a squad of soldiers to his newspaper office at dead of night to arrest him. But it was evidently the intention of the military despots to, if possible, stop the issue of the Daily Record, because they returned, after arresting the force and would, no doubt, have also arrested the substitutes that were hastily summoned to get out the paper, but for the fact that the doors were locked. As these men could not be included in the supposed charges against Mr. Kyner, the real object of the militia is obvious.

"The whole affair is regarded here, not only by the strikers, but by the public generally, as a dastardly outrage, and an infringement upon the liberty of the press.

"No man's liberty or property is safe in this district as long as the people of the state of Colorado continue to permit the military power of the state to over-ride all law and the constitution not only of this state, but also of the United States.

"Mr. Chase says the backbone of the strike is broken, well, that is his version, and the public can take it for what it is worth. The public, however, has learned by experience, to pay very little attention to these military deciples of Ananias. There was very little chance of the strike being broken when even the women are willing to take their husband's places when they become the victims of these blatant military despots. This happened last night, when Mr. Chas. G. Langdon was unlawfully thrown into the bull pen and Mrs. Langdon nobly took his place as an operator of a linotype machine at the Record office, and she has been working all last night and today to enable this issue of the Record to be gotten out. It is needless to say that the union men are all loud in their praises of this modern Joan of Arc.

Messrs. Thomas Foster and Pat Mullaney were released from the "bull pen" today after thirteen days of unlawful detention, no charges have been filed against these men and they relate having been roughly treated during their incarceration. EXECUTIVE COMMITTEE.

DISTRICT UNION NO.1."

The act of the military in their attempt to throttle the free speech and liberty of the press brought the condemnation of the entire press of the United States down upon the outrageous act in taking the mechanical force.

The editor's desk was simply "snowed under" with communications from far and near denouncing the disgraceful act. I, myself, received hundreds of letters from both rich and poor, people of both high and low positions in life. To me, my work at the linotype seemed the most ordinary and natural thing to do. I had but one thought and that was to please the management of the paper and go to their rescue when I imagined I was needed. At the same time assist the miners by defeating the military in their effort to stifle the voice of the Western Federation of Miners. Mr. Miller is an "all around" good printer, but not a linotype operator, and, as I was able to start the machinery to work, I was proud of the opportunity to do so. But the simple little act was heralded from coast to coast and made much of by the entire press—while I was still at the machine unconscious of anything except that the Record force had been somewhat reduced by "military necessity."

The action of the press of the country showed how sentiment is growing. The public outside of the Cripple Creek district really did not know to what extremes the military was going up to that time. The newspaper reports were not what they should have been in many cases and the outside public was misled, but the action of the military in raiding the Record aroused these papers to the gravity of the situation.

This act of suppression, if tolerated, gives the governor and his generals absolute dictatorship over the press. It was a vicious stab at free speech. This question was first fought out in England under the reign of James II and William and Mary of Orange, under the championship of John Milton and Charles Blount, in opposition to the censors Robert Lestrange and Edmund Bohun. Freedom of the press has ever since been a recognized principle of right.

Governor Peabody, with his armed force may invade the sanctity of the home, take therefrom husbands and fathers without warrant or specific charges, and consign them to the bull pen. He may surround the court house with cordons of soldiery, denying citizens admission to the temple of justice. He may openly defy the judgment of the civil courts. He may, without process of law, put editors and printers in the bull pen.

He may do these things, for a time, but he cannot throttle the press.

Free speech and a free press are guaranteed to the people by the national and state constitutions.

The Record force had good, congenial company while "guests" of the military at Camp Goldfield, as Messrs. C. G. Kennison, Davis and Foster and a few other good union men were taking a vacation and had decided to be "entertained" by the mine owners and Citizen's alliance for a short time. This, too, was caused by "military necessity."

Typhographical Union 275 publishd a formal protest against the treatment of their members as did many sister Typhographical unions.

DENVER TYPOGRAPHICAL UNION CONDEMNS.

At a session of the Denver Typographical Union No. 49, Sunday, Oct. 4, the following resolutions were adopted:

"Whereas, The occupation of the various towns and cities in the Cripple Creek mining district by the Colorado state militia has resulted in the unlawful and illegal application of martial law, with all its attendant disregard for the rights, privileges and duties of American citizens, vouchsafed by the constitution of the United States. Arrests have followed freedom of speech; arrests have awaited the legal assemblage of citizens in union meetings;

arrest has followed any communication by union men with strike breakers; the pomp of officers and the rattle of musketry have invaded the sacred precincts of the court (the only safe refuge of the innocent citizen); and, worst of all, arrest without warrant of law has followed newspaper expression, thus destroying the paladium of liberty, the freedom of the press, and

Whereas, The apprehension of the editor of the Victor Daily Record was followed by the arrest of members of Victor Typographical union at work on that paper, who are innocent of any wrong, or attempted wrong; therefore

Resolved, By Denver Typographical union No. 49, the pioneer labor organization in Colorado in, that we reaffirm our loyalty and fealty to the law of the land, knowing, as we do, that personal safety vouchsafed to the people through the application of legal processes is the net result of centuries of human struggle against the despotic rule of might. We deplore and denounce the subversion of laws by the military arm of the state government, and declare it to be wholy in the interest and at the behest of the few rich and strong, and we declare the use of such force to be against the best interests of the masses of the people of the state.

"Resolved, Further, That we urge upon the officers of the International Typographical union to take active and immediate steps looking toward securing proper redress for the unlawful arrest and incarceration of the members of our sister Typographical union at Victor, and to that end the secretary of this union is hereby instructed to forward a copy of these resolutions to International headquarters at Indianapolis."

GOLD COIN AND ECONOMIC MILL MEN OUT.

On the evening of September 30, the Gold Coin mine and Economic mill shut down. Both are properties of the Woods Investment company.

As the men came out of the mines they were met by Mr. Woods, who stated that while he was desirous of keeping as many of his employes as possible it would be necessary hereafter for men working in the Gold Coin to dissolve relationship with the Western Federation of Miners. Of the men thus approached, not one would agree to drop his membership in the Federation. A committee then went to the Economic mill and the men employed there were notified of what had occurred at the mine, and were asked to quit work. The request met with prompt compliance, not one remaining in the mill. It had been expected that whatever might have been the personal inclination of the owners of the Gold Coin, sooner or later the Mine Owners' association would compel them to shut down or work the property with men not affiliated with the Federation. The Woods people were loth to part with the men, but were compelled, by their affiliation with the Mine Owners' association to do so.

MacNeill objected to the miners interfering with the men on strike at his mill, even if they did belong to the Western Federation, and the mine owners all said "sympathetic strike." But when the Woods people expressed satisfaction with their union force the Mine Owners' association, to which they belonged, forced them to discharge the union force, the shoe was on the other foot; but did they call it a "sympathetic lock-out?" oh, no.

"O, consistency, thou art a jewel."

BULL PEN PRISONERS RELEASED.

Paddy Mullaney and Thomas Foster, two of the "guests" at the military bull pen at Camp Goldfield, were released from custody Sept. 30, by orders from headquarters. With the release of Mullaney and Foster followed by the giving of the Record force into the custody of Sheriff Robertson, but two civilian prisoners were left to enjoy the hospitality of the state troops. These were Chas. Kennison and W. F. Davis. Mr. Kennison, president of Miners' Union No. 40 and chairman of the strike committee, has many arrests and releases to his credit. On Sept. 18 he was arrested for the second time. He had gone to the Independence mine to get clothing he had left there, and, after leaving the mine, was talking to some friends, when the military arrested him for carrying concealed weapons, and he was taken to the bull pen. His wife made many efforts to see him but was repeatedly denied by the military. His last arrest caused his detention until October 2, when he and W. F. Davis were turned over to the civil authorities.

Asked how he had been treated at Camp Goldfield, Mr. Kennison said:

"There are three officers at Camp Goldfield who are Americans and gentlemen; the others are very overbearing. One colonel and two captains are all right, but the others are beyond endurance. The report as to how a private on guard threw down his gun and got the best of me in a fair fight is a pure fake. Parker and I were virtually in solitary confinement. We each had a tent to ourselves, while Foster, Mullaney and the other boys were allowed to tent together. General Chase threatened to buck and gag me, but did not succeed in frightening me any.

"Nobody gets enough to eat at Camp Goldfield, and we fared no worse than the men on guard there. There was not enough food and the little there was was improperly cooked and very dirty. Flies, flies in everything. It was not so much the cook's fault as that there are not more than half enough cooks and helpers to do the work satisfactorily.

As for bunks, we had plenty of hay and blankets, for which we were properly thankful. The greatest hardship of all was in not being allowed to see our families. In the whole fifteen days I have not been allowed to have a minute's conversation with my wife."

"TO HELL WITH THE CONSTITUTION."

"To hell with the constitution. We are going by the governor's orders," said Major McClelland, acting judge advocate and counsel for the military authorities, according to the statement of Attorney John M. Glover.

"I was in the office of District Attorney Trowbridge when Tom McClelland and Willis V. Elliott were preparing information against Editor Kyner for libel. Referring to the seizure of the office of the Victor Record, I said to McClelland, 'Your people apparently have not much respect for the constitution. That was a blow at the freedom of the press,' to which McClelland replied: 'To h— with the constitution. We are going by the governor's orders.' To which I replied: 'We will have some of you fellows pleading for your liberty before a jury where the governor's orders don't go.' McClelland replied: 'We will take care of that when we come to it.' Elliot was present and heard this conversation."

Immediately upon the appearance of the foregoing McClelland denied that he made the remark that he was not going by the constitution, which at once brought forth the following from Mr. Glover.

"Cripple Creek, Colorado, Oct. 5, 1903.

Editor of the Daily Record, Victor, Colorado.

"Dear Sir:—The conversation reported in your issue of October 4, as having occurred between Thomas McClelland, judge advocate of the National guard and myself, took place explicitly and exactly as stated by your correspondent. My version of the matter will be accepted by the people of this section and by any jury before which McClelland shall be tried. I repeat that this conversation took place in the immediate presence and hearing of Willis V. Elliott, also an officer of the National guard, and I cherish the hope that Mr. Elliott has too much regard for his honor and his uniform to join in McClelland's denial. Very truly yours, JOHN. M. GLOVER."

FARCIAL COURT MARTIAL MANEUVERS

October 3 Chase was summoned to Denver to appear before the "Czar of Colorado." At once there were rumors of court martials and denials of the same. There were rumors to the effect that Chase was to be superceded, that he would return and that he would not return. Statements that there was friction between him and some of the subordinate officers, against whom, it was alleged, he made charges of irregularities. Hints of padded pay rolls were brought out, also intimations made that women were mixed in the case, and various other matters came before the public in connection with the affair. The officers were "gagged" when asked questions, no one in camp seemed to know why Chase was called to Denver. Scandals were made public which neither the officers nor the mine owners appreciated; the officers did not relish the publicity given the scandals, while the mine owners hated to lose a subservient tool. Peabody and the mine owners, it was said, did their best to keep peace between the "tinsel ornaments" but failed. It was said by many that had it been possible to keep the "czar" of the "empire" of Colorado in the same mind for forty-eight hours, the trouble might have been avoided. Close friends of the governor labored with him to help him to "release the tail of the bear," but to no avail. However that may be, detailed charges and specifications were filed with Governor Peabody against practically all heads of departments to the Colorado National guard. The military court was to act as a kind of state grand jury and all charges that were made against the men and officers and all allegations that were made were to be considered by the court.

In connection with the investigation of the hospitals the charges of cruelty made by Monroe Kanouse and others who returned ill from the camp, were to be investigated. A searching inqury to be made into the death of the soldier who died on his way from Cripple Creek to a hospital in Colorado Springs, etc.

There was brought to light many cases of neglect and cruelty among the private soldiers.

Bell said in an interview in regard to conditions that existed October 7:

"I have no apologies or excuses to make to the Lord or anybody else for the manner in which the campaign has been conducted. Everything has been done to the best of my ability in the effort to properly care for the men through both the commissary and quartermaster's departments. I am responsible for my assistants, and not only they, but myself, as well as every officer and soldier in the field, have been practically on duty both night and day. I am running the adjutant general's and quartermaster's offices as well as the commissary department, and no one else is running them for me. There have been accusations made on the one hand that the troops were not properly fed and clothed, and on the other hand that they were extravagantly fed and unnecessarily provided for in clothing. Whatever the opinions of the public are, individually or collectively, in both instances, I want the people to hold their breath an hour or two and listen to this statement:

"I am responsible to the state and officially and personally am conducting these departments with the assistance of those who have been acting for me, and there is no one else either responsible, liable or otherwise conducting these departments in the past, in the present or the future. Therefore others need not claim any credit for what has been done and neither will they be held liable for conducting the campaign, so far as my responsibility goes."

Another statement of Bell's on the same subject would really do credit to a sane man and was as follows:

"I offer the following moral to the Citizens' alliance, the Mine Owners' association, the Western Federation of Miners and all other organizations: Moral—"Attend to your own business affairs, and don't in any manner or way interfere or mix in the military operations and conduct of the troops, and incidentally, with the management and operation of the military affairs in the Cripple Creek district." Bell said those organizations could pin that moral in their hats.

On October 10 Governor Peabody appointed a general court martial to convene at the capitol building at 10:00 a. m. October 19, 1903, or as soon thereafter as practicable, for the trial of such persons as might be properly brought before it.

October 19 the court martial began to grind and it continued until October 31. It is useless to waste space to go into detail in regard to that ridiculous farce played by the officers of the National guard, with Peabody, Bell and Chase in the leading roles. It was a very exhilirating performance in which the governor acted as director, Bell aspired to the role of heavy villian and Chase the martyr(?) The majority of the officers in the field including the "parlor" colonels, were all given minor parts.

The only points brought out in the trial, which lasted twelve days, was that there were certain jealousies existing between the officers in Camp Goldfield. That Bell disliked Chase from his hat to his shoes, although he had publicly stated what a "warm" friendship existed between him and Chase. At the court martial it developed that they had had trouble in regard to which was superior from the very first. The public became aware of this fact when Bell charged Chase with perjury. There were many disgraceful acts that had taken place at Camp Goldfield brought to light that otherwise would not have become public property. Bell and the other officers tried to give Chase the worst of it. He, Chase, refused to resign, and was acquitted of the charge of perjury.

Then came the other charges of disobedience and many other allegations.

It was believed that the court would find a verdict of guilty on the specifications, but not the charge of disobeying orders. In other words he was technically guilty, but not willfully so.

While the trial for other charges than perjury was being continued, Bell left no stone unturned to convict General Chase, and in his attempt to do so, a few little things much like the following were charged against Bell by the press of the state:

"That General Bell violated his oath of office and the orders of Governor Peabody in going to the Cripple Creek district. That he issued executive orders without the sanction or knowledge of the governor. That he exceeded his authority by issuing commands to the brigade of General Chase.

"That he issued orders direct to officers without sending them through brigade headquarters. That he forged the name of General Chase to passes through the lines. That he removed Colonel Louis Barnum from the court martial because he would not agree to vote for a conviction of General Chase and substituted another. That he coerced and rewarded witnesses in the case of General Chase. That he approached members of the court martial to influence them to vote against Chase.

"That he destroyed important records that would have vindicated Chase and substituted incorrect copies to be introduced as evidence."

After spending the entire day of November 2 in secret session, reviewing the evidence in the charge of disobedience of orders of the governor, the court martial announced that General Chase had been found guilty of disobedience by a vote of four to six. The punishment was not fixed.

The arguments still went on for several days. There were many scenes during the trial, blows being threatened, and many times the court room was cleared to avoid the crisis being reached. The lie was passed by the gold lace followers of Bell. Men were called scoundrels and curs and other names for which MEN used to kill. Finally, after the trial had absorbed the public attention for nearly thirty days, the verdict was announced and turned to Governor Peabody to fix sentence. General Bell and his followers used every power possible to influence Peabody to give Chase a dishonorable discharge. Public sentiment was with Chase, for the reason that it was plain to be seen that the whole affair was a matter of jealousy and supposed to be a plot to dispose of Chase. Prejudice predominated in the court martial and public sentiment naturally grew in favor of Chase. Elliot worked very hard for Chase, and more than once held Bell up to ridicule. Once, in the heat of argument he called Bell a cowardly cur. He was ever ready to correct and defy the opposition to Chase.

Nov. 7 the controversy came to an end, so far as the public was concerned. The news of the acquittal of General Chase of the charges preferred against him, for which he was tried, rather amused the citizens of this district. The people were eagerly waiting to see what the governor would do with the proposition passed up to him by the military board. They heard from him and noted that he made a bold straddle of the proposition. Public opinion was too strong to "fire" Chase from the National guard, so the governor, in order to pacify Bell, approved of the verdict but did not discharge Chase from the guard.

Governor Peabody's decision was type-written, covering some four pages. He agreed with the court that General Chase had disobeyed executive orders, but, "in view of the fact of his long and honorable service, in the militia of both Colorado and Michigan, the verdict of the court is hereby set aside."

The ruling of the governor was in every way a vindication for General Chase. His handling of the court's verdict was done in complete detail, every point raised by the defense and prosecution being covered.

The verdict amounted to this: "Mr. Chase, you disobeyed an executive order. My dear sir, never let this occur again. You will remain in command, because I have confidence in you."

Apparently it appears that the governor refused to be dictated to by Adjutant General Sherman Bell.

The governor did not make up his mind as to what the verdict would be until November 7. He spent the evening in going over the evidence and conferring with friends of both factions.

"I am going to return this verdict in accordance with the law and facts, no matter whom it hits," said the governor. Early in the morning he was at his office in the capitol building, and, calling his stenographer into his room, started the task of dictating his opinion as to the finding of the court. The governor called attention to the law and commented to some length on all points. In closing his decision, which was signed "James H. Peabody, governor and commander in chief," set forth the different charges.

"The charge of perjury. Charge not guilty. Specifications not guilty.

Charge No. 2—Disobedience of orders. Charge, guilty. Sentence dismissal. The sentence is set aside." And the governor wound it up with a comment on the bravery of General John C. Chase.

The news spread on all sides and General Chase's office was the scene of a jollification. The telephone was kept busy and scores of people called to congratulate the general on his vindication.

"I am extremely happy," said General Chase to a crowd of his friends. "I have been in doubt as to what the governor would do. Now I am free again. The fact that the governor found the charge of disobeying orders, as set forth in the verdict, means, I should say, that while I did break the order, I was doing it in the interest of the state."

Here is the executive order quashing the efforts of the court martial to dismiss Chase from the service:

"Headquarters National guard of Colo., Governor's office, Denver, November 7, 1903.

"Before a general court martial that convened in Denver, pursuant to special order No. 308, Camp Goldfield, Oct. 12, 1903, and of which Kenneth

F. Fahenstock, A. D. C., was president, and Capt. Greer was judge advocate, was arraigned and tried Brigadier General John C. Chase, National guard of the state of Colorado.

"Charge No. 1—Perjury to the prejudice of the good order and military discipline of violation of the Sixty-second and Sixty-third articles of war.

"Specifications—In that Brigadier General John C. Chase, being in command of the First brigade National guard of Colorado at Camp Goldfield, and having been served with a writ of habeas corpus issuing out of the district court of Teller county, state of Colorado, upon the application of one W. F. Davis, did willfully and corruptly make answer or return thereto in words and figures as follows:

Then appears General Chase's return and answer to the Davis writ of habeas corpus.

Charge No. 2—Disobedience of orders in violation of the Twenty-first article of war:

"Specification—In that General John Chase, National guard of Colorado, having on or about the 1st day of October, 1903, been served with a writ of habeas corpus in the matter of the petition of one W. F. Davis, and having failed, neglected and refused to deliver up the person of the said W. F. Davis as required in the said writ of habeas corpus, and having thereafter received from his superior and commanding officer, James H. Peabody, governor of the state of Colorado and commander-in-chief of the National guard of the state of Colorado, a lawful command and order in writing, expressed as follows, namely:

Here followed the Davis release order.

"Did, nevertheless, deliberately and willfully refuse to obey said order. This at Camp Goldfield, in or near the town of Victor, on or about October 1, 1903. To which charges and specifications the accused Brigadier General John Chase pleaded as follows:"

It has been shown that General Chase pleaded not guilty to charge No. 1 and charge No. 2.

The finding of the court martial, the order recites, was "not guilty in the case of charge No. 1." In charge No. 2 the finding was "guilty of the specifications and of the charge."

The sentence of the court martial as it appears in the governor's order was: "And the court do hereby sentence him, Brigadier General John Chase, N. G. C., that he shall be dismissed from the National guard of the state of Colorado.

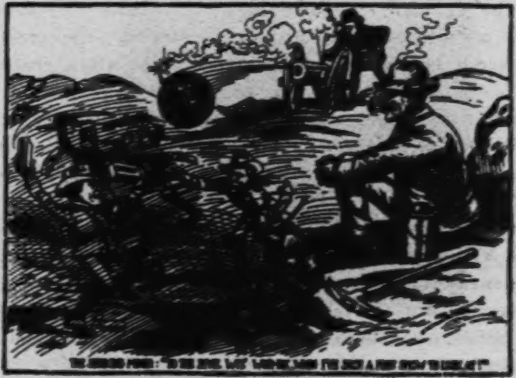
"The proceedings and findings are approved.

"In view of the distinguished services heretofore rendered the state of Colorado by Brigadier General John Chase, the sentence is remitted and

General Chase is restored to duty.

JAMES H. PEABODY, Governor and commander in chief."

These conditions the miners enjoyed. They made the best of them as a means of amusement, and the question of moment each day was inquiring for the last sensation among the soldiers. The miners cared little about going to work while they could enjoy such high class entertainment without cost.



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MAYOR FRENCH INTERFERES WITH POLICE.

October 14 Officer Meany arrested a Couer D'Alene miner for carrying concealed weapons. In fact, John Mitchell, the miner, was so careless with a big 44-calibre revolver that he let it fall out of his pocket on the floor of a saloon in Victor that evening. He was tried before Judge Gibbons the next evening and found guilty of carrying concealed weapons and fined $50. The following day Victor's mayor appeared before the police magistrate and presented him with the following order:

"State of Colorado, County of Teller, in the police magistrate court.

"The people of the State of Colorado, plaintiff vs. John Mitchell, defendant.

"To the Honorable Michael Gibbons, Police Magistrate of the city of Victor, County of Teller, and State of Colorado.

" This is to certify that I have and do hereby remit the fine which you imposed upon John Mitchell, defendant, in the above entitled cause, who was charged with carrying concealed weapons. I remit this fine on conditions that the said John Mitchell refrains from carrying concealed weapons in future within the city of Victor. So, upon the payment of costs in this

"Dated at the City of Victor, this 15th day of October, A. D., 1903.

"F. D. FRENCH, Mayor of the City of Victor."

Marshall O'Connell interviewed the mayor in regard to the remittance of the fine and reprimanded him. He also warned him to look to his own affairs and not to interfere with those of other officers.

One thing accomplished by organized labor in the Cripple Creek district in the month of October, 1903, was the organizing of the women in the district by the Colorado State Federation of Labor. President Sullivan urged in his address at Canon City in September, the great good that would be accomplished by organizing the mothers, wives, sisters and other relatives of union men into auxiliaries. Mr. Sullivan was in the district about the middle of October and organized the first auxiliary in the district in Victor. On Oct. 21 permanent officers were elected and a strong organization effected. The first officers elected in Victor Woman's Auxiliary No. 2 were as follows:

President, Mrs. J. C. Hanna; First Vice-President, Mrs. Clark, of Goldfield; Second Vice-President, Mrs. Weaver, of Elkton; Recording Secretary, Mrs. C. G. Langdon, of Victor; Financial Secretary, Mrs. John O'Brien of Victor; Treasurer, Mrs. Converse, of Elkton; Conductor, Mrs. Henry King; Guard, Mrs. Middleton; Chaplain, Mrs. John Calderwood, of Victor; Trustees, Mrs. Ritts, Mrs. D'Arcy and Mrs. Drake.

R. E. Croskey, first vice-president Colorado State Federation of Labor, then took up the work as organizer and finished the work in Victor. October 24 he organized Auxiliary No. 3 in Cripple Creek and later one in Anaconda. The ladies in each and every auxiliary have clearly demonstrated that they are the most enthusiastic of all interested in the fight for the rights of the American citizen. These organizations were formed to help counteract the work of the Citizens' alliance, Mine Owners' association and other organizations antagonistic to organized toilers. And the way those women denounced the un-American, tyranical, bull-dozing methods of the Citizens' alliance, and the way they worked against the business firms that expressed themselves against the miners was interesting, to say the least. Too much credit cannot be given them for their work in the strike of 1903.1904. The women are, as a rule, the purchasing agents in the home, and the rank and file of union men's families in the district would have undergone martyrdom rather than let any money gone to "unfair" dealers. So much, and good for the Women's auxiliaries of the Cripple Creek district.

ORGANIZED LABOR COMBINES POLITICALLY.

One of the greatest victories scored by organized labor in the Cripple

P. J. DEVAULT, ELECTED COUNTY ASSESSOR.

Creek district, was on November 3, at the general election, when P. J. Devault was elected to the office of county assessor.

Through inability to "come together" on some of the candidates, Mr. Devault was placed on an Independent Citizens' ticket by the organized labor element of the district as their recognized candidate, and although both the Democratic and Republican conventions had placed in the field strong tickets and worked hard for them, Mr. Devault was elected by an astounding majority.

His candidacy was endorsed by the unions of the entire district. He has been a member of the District Trades and Labor assembly for eight years or more, and always an active worker for union principles—and yet the "enemy" has never accused Mr. Devault of being a "radical agitator." In the thick of the fight a prominent leader of those opposed to the Western Federation referred to Mr. Devault as a "reasonable, conservative man."

Organized labor joined forces and put their shoulder to the wheel to elect a union man, regardless of party politics, and it is a fair example of what can be accomplished if we stand as a unit in the future. There was no uneasiness expressed by the opposition over the prospects of his conduct as assessor. It was conceded by all that the unions could not have put up a stronger man.

Mr. Devault is intelligent, conservative and considerate of all people's rights and has and will give justice to all and special privileges to none.

There was but one objection raised by the Democrats in regard to Mr. Devault's nomination on an independent ticket, and that was the fear that it would divide the vote and elect a Republican candidate, but after the election they stated that they were satisfied that there had been elected as assessor a conservative and conscientious man.

The union men were jubilant over this victory, as they claimed that it demonstrated clearly that they were not dead and that they still have fight in them.

The auxiliaries of the district worked faithfully and enthusiastically for Mr. Devault, as also did the unions. Mr. Devault gave the ladies much praise.

To the writer's mind labor's victory awaits them at the ballot box. Let us formulate a plan, a plan whereby labor will receive its fair wage, whereby capital will receive its due, and justice will be given to all. Then let organized and unorganized labor stand shoulder to shoulder and not be divided on election day by the honied words of the professional politician, nor the lamentations of the professional office holder.

With the exception of the election of Mr. Devault, the Democrats claimed a complete victory in the election in Teller county at the November election. Not being able to go into details of the election for want of space, I will press on.

A great many working men object to taking their politics into their unions and lodges. But what will be the end of those who toil as a unit if they do not meet at the ballot box as a unit and vote for the interests of their class? Aye, politics has placed the state of Colorado where it "politically" stands in regard to organized—yes, and unorganized—labor, and it is labor's duty, and they will make it their BUSINESS, to be a "political" unit as well as a "laboring" unit.

"Politics" left Colorado a legacy of trouble that, in less than each sixty days has cost the people of the state the nourishment of three and one-half millions in production, business and wages.

Except for this legacy of trouble, the Cripple Creek district, in the past few idle and unhappy months, would have produced $3,000,000 in ore in each sixty days, and the miners would have received half a million in wages in the same period of time.

The late legislature was the agent leaving the legacy of trouble.

Both the Democratic and Republican parties, in the last state campaign, advocated and pledged their candidates, their leaders, and their beneficiaries of public favor, to an eight hour law, if the people amended the constitution of the state authorizing its passage.

The people did so—urged by the "politicians" of both parties, who said it was wise and good.

But the legislature, elected under that pledge, refused to pass the law.

The part played by "politics" was that, to carry an election, it had no conscience, but seized any and all campaign material, regardless of the consequences to the people.

And when the legislature disobeyed the will of the people and the promises of both parties, and obeyed the corporations who did not want the eight hour law, "politics" skulked and did nothing.

There was no extraordinary meeting of the leaders of both parties to make good their mutual pledge. They could have forced the legislature to act or stand convicted of the dishonor of dishonoring their party pledges—to say nothing of spitting on the state constitution—but "politics" skulked.

The Democrats, meeting in state convention afterwards, reaffirmed fealty to the pledge. The Republicans met in state convention and were silent.

Labor, befooled by "politics" and sold out by legislature, is now insisting upon the eight hour law, abandoned by the Pharisee, "politics," as it lay wounded, at thieve's hands, on the roadway.

The legacy of trouble, drawn up by "politics," and signed, sealed and delivered by the legislature, has already cost millions and millions.

What the subsidary and connecting losses amount to nobody knows, or ever will know.

And now comes the United Mine Workers, appealing to that great coal company, whose king is a man without hair, living on crackers and water, for the eight hour day.

And the man without hair on his head and who can eat only enough to sustain his life, has not said "yes," for otherwise the corporation would say "No."

More loss of production; more loss of wages; high prices for coal—all in the legacy left by "politics" and its agent, the legislature.

And politics skulks and the members of the legislature are able to pay for drinks with money that should scorch their fingers, and the people of Colorado hold the legacy that is not riches, but is ruin.

Should labor, organized or unorganized, throttle "politics?" should we take politics into our halls and lodges, strip it of its henious power, and force it to act, as it has promised, for the good of ALL? I say YES!

THE COAL MINERS ON STRIKE.

From November 8, through the entire month, the strike of the coal miners in the Southern and Northern fields of Colorado held the attention of the public. November 9 found the tie up of the coal mines almost complete. At Trinidad, when the whistle blew, there were but an inconsiderable few who responded, and the tie-up in Las Animas county was declared complete.

November 11 found 90 per cent of the miners out on strike and that per cent had been previously organized and were strictly union.

Thousands of coal miners were out before the governor realized what had taken place. Arrangements were made at once by the officers directing the strike to send many of the men away—over 1,000 departing at one time—500 of whom were sent to Thurbur, Texas, and many others to the Iowa coal fields. At both places the conditions, wages and hours of work were vastly superior to those of the Southern fields.

A coal strike with such capitalists as the men that control the Colorado Fuel and Iron company and the Victor Coal company on one side and the United Mine Workers, led by John Mitchell on the other, is one the effect of which can hardly be estimated.

These capitalists are heartless and as a labor leader John Mitchell has no equal in the United States. He has an influence over his men that is simply marvelous, and it was at once recognized that if anyone could lead them through a hard struggle to victory, he was the man. He has not only the brains to make a hard fight, but he has also the experience, and will demonstrate both before this struggle is ended.

A settlement of the difficulties in the Northern fields was soon made, whereby the miners received all and more than they asked for, and work was renewed under far more favorable conditions.

At this writing the strike in the Southern fields still goes on.

"Mother Jones" played a very commendable part in the labor troubles in the coal districts and needs no introduction to the laboring classes by the writer.

Governor Peabody made a statement November 11, in an interview on the coal strike, which read in part as follows:

"I hold that every man has a right to work, whether he is union or non-union. When a man is ready and willing to work and is interfered with, I will furnish him the protection that he, as an American citizen is entitled to.

"Up to the present time I have received no request for troops. Regardless of the statements that have been made, I have not been approached by the Victor Fuel company or by the Denver Tramway company for troops to go to Leyden Junction or elsewhere. I wish my attitude to be understood. I have no objection to unions. Every man has a right to join unions if he wants to, the same as he may join a church, a lodge or any organization, civil or religious, so long as union members do not interfere individually or collectively with the actions of other men, they are all right. I have always maintained that when a man wants to work that that is his privilege, and no one shall stop him. On the other hand a man cannot be compelled to work unless he wants to. There must be no coercion either way.

"When I receive assurances that a body of men want to work, union or non-union, I shall extend to them that protection that is in my power. This is my position in this matter."

Will the reader take note that Governor Peabody says the principles that caused him to take the actions he has are that law and order shall be maintained in this state and that men shall have the right to work or not as they see fit.

Will Governor Peabody be honest and tell the public why he has allowed the militia, with his connivance, to openly violate the laws of the state by arresting innocent men without warrant or due process of law, and against whom no charges have been brought.

Will Governor Peabody explain why he allows printers who are at work and want to work, to be dragged with insult and degradation from their labors and thrown into a vile "bull pen" and subjected to mental and physical torture not excelled by the finished product of the Spanish inquisition?

Will Governor Peabody explain why he permits his "law preserving" military to desecrate funeral services and with the assistance of an ex-convict drag a citizen from his brotherly duty to the dead and confine him with no due process of his much upheld law?

Will Governor Peabody explain why he permits his "law preserving" military to shoot at a man with apparent intent to kill, because he refuses to work because he has been lied to in order to secure his services?

Will Governor Peabody explain why he permits his "law preserving" military to desecrate the home of a grief striken widow of two days and threaten to drag from her side her ten-year-old son, frantic with woe by the loss of a dear and loving father, to be frightened and terrorized by a martial display, the reason for which his young and tortured mind cannot fathom?

Will Governor Peabody explain why he permits his "law protecting" military to enter the home of a woman, drag her therefrom, tear her clothing from her body, and with brute force, oaths and villification force her to walk over rough granite roads between two cities because she has incurred their displeasure by resenting their intrusion of the sanctity of her home?

Will Governor Peabody tell the public why so many of the strikers were kept in the bull pen and only liberated when he dare hold them no longer without coming into conflict with the courts and perhaps the federal authorities? Will the Governor tell the public why the strikers have not as much right to life and liberty as have the "scabs?"

You say, governor, that labor has the right to organize, yet you KNOW, and every person in this community knows that you did all in your power to deny them that right.

Governor Peabody, you stand condemned at the bar of public opinion as a corporate vassal who is ever ready to sacrifice the liberty of the people of this state at the behests of your masters, and the public want no canting hypocracies or platitudes from you. The least said about LAW and ORDER after the exhibition of it, as seen in the Cripple Creek district, the better the public will be pleased.

Back, back, Governor Peabody; back to that dear Canon City, back to to the more fitting occupation of your nature, back, I say, to the clipping of coupons, the hoarding of the yellow boys; back to where your brain may shrivel and your sense become dumb to all but its natural sphere; back to the bars of your protected bank; back to the place where your fingers may develop unrestricted into the yellow and gnarled talons of the pictured money monger, the accursed of Christ. Desert you the misoccupied chair of justice arbitrator, the position that should be occupied by honor, and contaminate not the air of heaven with the name of liberty, freedom and JUSTICE, befouled by your construction.

PEABODY CALLS FOR HELP.

A dispatch from Washington November 19, made known the fact that President Roosevelt had received a dispatch from Governor Peabody, asking that General Baldwin, commanding the department of Colorado, be instructed to supply such troops as may be necessary to preserve order in the Telluride district.

After a consultation between the President and secretary of war, Governor Peabody was advised that it did not appear that the resources of the state had been exhausted, and therefore the request for troops was denied.

Upon the appearance of the foregoing it leaked out that Governor Peabody and General Bell, I mean Adjutant General Brigadier General Sherman M. Bell of Colorado and Governor Peabody (beg pardon Sherman) had offered the state militia, 2,000 strong, to fight the battles of the United States in Panama. The letter follows:

"Denver, Colorado, November 9, 1903.

"Theodore Roosevelt, President:—Commending your action in the Panama question, and having in mind the possibility of military service, I desire to tender you the services of the National Guard of Colorado, 2,000 strong, now fully armed and equipped and organized under the provision of the Dick bill, who can be ready on 24 hours notice.

"JAMES H. PEABODY, Governor and Commander in Chief."

"SHERMAN M. BELL, Adjutant General.
"J. Q. MACDONALD, Military Secretary."

The secretary of war answered in the most polite manner possible which ended as follows:

"I beg to express the appreciation of the government of the United States for the patriotic spirit which prompted your offer. Fortunately there is at present no reason to anticipate the calling out of any part of the militia of the United States, but should the occasion arise at any time the readiness of the militia of the state of Colorado to serve their country will not pass without notice. Very truly yours,

"ELIHU ROOT, Sec'y of War."

Governor Peabody in a mild way had made himself the butt for gibes and jokes in the war department. From the foregoing correspondence it will be seen that he and Sherman Bell tendered the state militia, 2,000 strong, armed and ready to set sail for Panama on twenty.four hours notice; while in the next breath the governor demanded federal troops, declaring that this same state militia was wholly inadequate to cope with the "lawless" element of Colorado.

In addition to this, Secretary Root modestly reads the governor a lecture on his ignorance of the law, and showed that he had not commenced to make out such a condition as the law requires to permit the President to order federal troops to interfere.

This little farce comedy on the part of Sherman Bell and the governor was apparently an effort to saddle the expense of the "war of Colorado" (guarding the property of the mine owners against imaginary depredations) upon the United States; said war having already cost the state of Colorado in the vicinity of $500,000. (If we permit the legislature to pay the mine owners' bills) and no blood shed in combat but that of a poor little burro.

Some have been so cruel as to hint that if Bell and Peabody could volunteer the services of 2,000 armed militiamen (the entire fighting force of the state of Colorado) to go to far distant Panama, there could surely be no necessity for them in the state of Colorado.

DEATH OF WILLIAM DODSWORTH.

A very sad death must be recorded in these pages, as subsequent proceedings in connection with it are almost beyond the belief of humanity.

On November 20, the highly honored and ever-respected president of Victor Miners' Union No. 32, William Dodsworth, was almost instantly killed in the Delmonico shaft, one of the Stratton properties. He, in company with David Reed, were engaged in mending a steam pipe which was connected with some machinery which he had installed at the Delmonico mine.

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WESTERN AMERICANA

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The men were standing on a plank which was balanced on two cross scantlings when Dodsworth stepped out near the end of the board, which broke, precipitating him to the bottom of the shaft. When picked up and taken to the surface, he was in an unconscious condition, from which he did not recover until death came, just as he was being carried into his home at Goldfield.

Mr. Dodsworth was universally respected, and for the greater part of his life had been identified with trades unionism.

NO RESPECT FOR THE DEAD.

While the last sad rites were being paid to the dead at Miners' Union hall, Victor, Sunday afternoon, November 22, the military interrupted the ceremonies. While the services were being conducted over the remains of the beloved president of Miners' Union No. 32, where the unions and auxiliaries of the entire district had gathered to pay their last respects to the dead, a squad of cavalry, including several officers, galloped up to Miners' Union hall and laughingly dismounted. The notorious ex.convict, Frank Vannick, headed the file of officers, and with him as as a leader they proceeded up the stairway to the hall of the sacred dead.

The officers, with covered heads and clanging sabres boisterously entered the hall where every head was bowed in deepest sorrow. After this display of military rule in the glorious "land of the free," Vannick advanced nearer the grief-stricken mourners and pointed out C. G. Kennison, president of No. 40. Whereupon Kennison was at once taken from the hall where he was paying his last duty to a deceased brother, and marched to the bull pen.

Men present simply turned white with rage, and God alone knows how they restrained themselves. And yet the miners are lawless, vicious criminals. Verily, were they not MARTYRS to abide by such an insult, not only to the living, but to their respected dead.

Mr. Kennison could not have left the building without being captured, had they cause for arresting him. He had no intention of leaving the district and could have been taken at any other time..

RAIL UNSPIKED ON THE F. & C. C.

After a lull in military circles for several weeks, and the citizens having begun to recover from the effects of past military operations, the military again scented crime and again got busy.

November 17 there was much activity displayed in the "gold lace" circles.

A rail on the F. & C. C. railroad, just out from Anaconda, and on a high embankment, was released from the ties by someone removing the spikes. This was done sometime on the night of Nov. 16, before the 3 o'clock suburban carrying about forty union and non.union miners came along.

The engineer, Wm. Rush, claimed that he had a "tip" that the rail had been removed, and for that reason he stopped his train before he reached the spot and got down to make an investigation, finding the rail loose and all the spikes removed. He called a number of the passengers and the train crew to make an examination for their own satisfaction and they verified his statement. The matter was reported to the military and General Bell detailed about thirty of his men in citizen's clothing to search the district for information regarding the matter. About noon November 17, twenty cavalry and twenty infantry, under the command of Majors McClelland and Naylor went to the house of Charles McKinney and placed him under arrest. He was taken to the Independence guard house and left surrounded by soldiers. The detachment then started for Altman and met P. H. Mullaney on the road and placed him under arrest. Mullaney was then taken to Camp Goldfield and placed in the bull pen, and McKinney was brought down from the Independence guard house. While the troops were in Altman they went to the home of Thomas Foster and Mrs. Foster refused them admission. They then broke down the door, but Foster could not be found. A search was made throughout the district for him, but to no avail.

Foster, when he found that the military were searching for him, it was stated, went to the sheriff's office and turned himself over to the sheriff and asked protection from the military and the bull pen.

The military authorities made the claim that a like attempt was made to wreck an electric car near the Economic mill; that in this case the rail had also been loosened, and that it was discovered just in time to avoid a wreck.

General Bell talked freely on the subject and among other things said:

"The prisoners will be protected, though even every man in the Cripple Creek district made an attempt to secure custody of them, and every man who makes an attempt to get to the prisoners will be promptly shot. None will escape should a forcible attempt be made to secure possession of the prisoners. The men are not only under a heavy infantry guard, but there is a double cavalry patrol, and the men are absolutely safe from any violence. The lives of every member of the National guard in Camp Goldfield will be sacrificed to protect the two prisoners."

Protected from whom? Not their brother union miners, the writer hopes; and as the military claimed that the miners were the only lawless element in the district, who else could have harmed the prisoners? Surely the mine owners would not have committed such a lawless act; and the Citizens' alliance was never accused of being lawless by the military—then who could have harmed the prisoners?

There was not a person in the district who was not in favor of seeing the guilty punished, no matter who it happened to be. No one in the district showed themselves more anxious to see the guilty punished than the members of the W. F. M. The unions, however, grew very tired of the contemptible insinuations continually hurled at them—they were crucified at the behest and in the interest of the mine owners until it grew absolutely unbearable.

Some people suggested that it was done by someone having a grudge against the railroad and they took advantage of this opportunity to get revenge when they would be least suspected. Others claimed that it was a scheme on the part of the military or mine owners to cast suspicion on the unions, and to create the impression in the mind of the general public that it was necessary for the military to remain in the district to prevent wholesale murder and crime.

THE VINDICATOR HORROR.

What might properly be called a disaster occurred at the Vindicator mine in Independence at about 11:00 o'clock a. m., November 21. Charles McCormick, superintendent, and Melvin Beck, shift boss of the mine, were killed almost outright by a terrific explosion at the 600-foot level of that property.

The news of the explosion spread over the district in a very few minutes and hundreds of people hastened to the scene. Troops were brought from Camp Goldfield and at once surrounded the mine.

Previous to descending to the place of their death, Beck was heard to say to McCormick that there was something suspicious about the appearance of things at the 600-foot level, but further than that the conversation was not heard before they went below.

The force of the explosion was terrific. Timbers eighteen inches square were cut in two like straws, and others were torn to shreds. A gread hole was torn in the floor of the station where the explosion occurred. Pipes were broken and one very large pipe was twisted and bent by the fearful force.

As soon as possible help was sent to the 600-foot level, where all eyes met the horrible sight. McCormick was still alive, but unconscious. He lived twenty-five minutes. Beck was alive and conscious, and his last words were: "I want everything to go to my daughter." He lived fifteen minutes.

It is presumed that when they reached the 600-foot level that McCormack raised the guard rail to leave the cage and that by so doing he fired the revolver that was said to have been placed there and presumably tied to the rail by a piece of wire, and that fired off the powder that caused the explosion.

That was one theory advanced. Another was that the sixth level not being used, was prepared with a mine to create an explosion to establish a public prejudice against the strikers, but that the explosion was premature and those who were familiar with the plot had been caught in their own trap; but the writer cannot accept such a theory because of her belief that men are men and that they would not stoop to such a diabolical method of creating public sentiment.

The people, in fact advanced many theories and suppositions, but at this writing there has been nothing proven farther than the fact that the accident happened, but prejudiced individuals, who rarely know anything of what they talk about, at once passed judgment and denounced it as a cold blooded murder. Experience has taught, however, that there are people who are not above making capital out of misfortune.

There was no semblance of an infernal machine found. Footmarks were found around there of a No. 8 boot or shoe that appeared to be new. These marks were not disturbed and the dogs from Canon City were sent for and used in the district, but to no avail.

The coroner's jury, with officials of the mine made a careful examination of the mine and premises. At the inquest many witnesses were examined and the work went on for several days. The verdict reached was as follows:

"That Charles McCormick and Melvin Beck came to their death on the 21st day of November, 1903, at 11 o'clock a. m., from the effects of an explosion at the station on the sixth level of the Vindicator mine, located in the Cripple Creek mining district. From the examinations made at the mine, and the evidence introduced, the jury is unable to determine the exact cause of the explosion. In testimony whereof the said jurors hereunto set their hands the day and year aforesaid."

JOHN KETELSEN, W. J. DONNELLEY,
JOHN HARPER, JACOB NEIMAN,
W. S. ELLIOTT, J. L. WOOD.

After the explosion at the Vindicator the military again assumed the role of the famous Nick Carter, and from Saturday, the 21st to Tuesday, the 24th, arrested eighteen respected citizens. No warrants or charges being brought against the men arrested. It was presumed by all interested, that they were to be charged with the dynamiting of the Vindicator. However, it was not so stated. Nearly every union miner in the district that happened to wear a No. 8 shoe, was arrested. Among the first men arrested and consigned to the bull pen were to be found Sherman Parker, H. Chase, Link Bolson, W. B. Easterly, W. F. Davis, John Schoolcraft, Gus Johnson, J. B. Isibell, R. Bolan, William Beecher, Victor Poole, Mr. Fleming, H. P. Jones, C. G. Kennison, C. H. McKinney, Bob Adams, P. H. Mullaney and Frank Campbell.

Some of the foregoing were soon released and some were never at liberty any length of time after. When the military were forced by law to release either Davis, Parker, Kennison or Poole, there was soon some unreasonable excuse found to take them again.

Don't forget, indulgent reader, that even had any of these men been guilty of any offense, the most the military could have lawfully done would have been to file charges and turn them over to the civil authorities. By what right of law were these union men confined in the military bull pen without a scintilla of evidence produced against them? It appeared from time to time as if the military officers were trying their best to create riot in the the district. No doubt they lived in fear of losing their positions at any time and wanted to keep something going on. The mine owners' papers cast dirty insinuations at the "inner circle" of the Western Federation, which were very hard to bear, in regard to the Vindicator explosion. The union men could, with equal right, have accused the "inner circle" of the mine-owners association with being responsible for every mishap that occurred to union men after the strike started. There were some very suspicious cases of union men's houses having been burned, particularly those at Beacon hill and near the Santa Rita mine, that would have borne investigation. True there were criminals brought into the district, and who was responsible for their being here? The mine owners. Who gleefully gave it out that they were bringing tough men into the district to create "rough houses?" The mine owners. In whose employ was K. C. Sterling and ex-Convict Vannick? Any unprejudiced person knows who committed all manner of depredations on innocent men, aye, and women too, in the community.

It must not be forgotten that we are all Americans and imbued with the American spirit. The finest steel blade may be bent until it snaps in twain.

MILITARY ARRESTS LITTLE CHILDREN.

Not content with having added a goodly percentage of the population of the hill to the roster of the bull pen prisoners, the military began a campaign against the children. Five boys, ranging in age from 9 to 14 years, were arrested and taken to the prison at Camp Goldfield, but later in the evening of November 23 were all released.

One incident in connection with the arrests of children which provoked great indignation occurred on the foregoing date. A crowd of soldiers was passing, more than a block away, the home of the late William Dodsworth, where the two Dodsworth children, aged 7 and 10 years, in company with other children were playing. None of the party on the porch, according to the best people in Goldfield, made any demonstration or offered any remark which could be heard by the soldiers or passersby; but suddenly three cavalry troopers detached themselves from the squad and rode directly to the house. The soldiers dashed up and ordered the oldest little fellow to fall in line. This the child refused to do, and he ran into the house. The doors were at once locked. The soldier led his horse up to the very door and demanded that the boy be given into custody, but was met by an emphatic refusal by Mrs. Dodsworth, who promised him a warm reception should he attempt to take the child by force. Argument and command failing, the soldiers desisted and returned to their company.

After the departure of the soldiers Mrs. Dodsworth was completely prostrated and had to have medical aid. Following so closely upon the tragic death and burial of the father and husband, the incident aroused deepest indignation in Goldfield, and upon every hand by unionist and non-unionist.

M'KINNEY TAKEN TO CANON CITY.

November 23 Charles McKinney was taken to Canon City and placed in the Fremont county jail for "protection," so said Sherman Bell; but there was probably no more danger of a lynching of McKinney in Teller county than there was one of the most innocent people in Denver, were any of them to come here. It was, however, a good play for effect, and to work additional injury on the name of the Cripple Creek district. His wife called the day before and asked to see her husband, but was refused, and during the night he was smuggled from the district.

The action of the authorities in taking him to Canon City could meet but with ridicule from the people of the district. The very people that claimed they wanted him taken away for the sake of protection, were the ones that would not have cared much if he was lynched if they believed him guilty of the crime they claimed to hold against him. McKinney was at no time in danger here, and the report that a certain number of citizens had a rope, etc., preparatory to stringing him up, was false in every particular.

MINERS' UNION SAFE ROBBED.

On the night of November 23 the safe in the office of Miners' Union No. 32 was unlocked and robbed. The safe contained $100 belonging to the Newsboys' union of Victor and $75 belonging to the Miners' Union No. 32, and held in trust by the secretary. There were only two persons known to have the combination of the safe, John Geary, the secretary, and Major Naylor, of the National guard. All the money, books and papers disappeared without the slightest scratch upon the safe. The torn leaves of the new ledger with some other papers were found in another part of the hall.

The ledger was new, and Mr. Geary had just finished the work of posting it two or three days before. Mr. Geary was almost prostrated by the affair.

The military, through an oversight, made no arrests, neither did the mine owners offer a reward. The union boys were very indignant and followed every possible clew, but at this writing the robbing of the safe still remains a mystery.

MORE WRITS OF HABEAS CORPUS.

November 30 writs of habeas corpus were again issued by Judge Seeds. The writs called for the persons of Sherman Parker, W. F. Davis, Victor Poole, W. B. Easterly, C. G. Kennison and Patrick Mullaney, and were returnable Thursday, December 3, at 1 p. m.

December 2 the military powers filed with the clerk of the district court answer to the writs. The answer recited at length the authority of the respondents for seizing the prisoners and explained in Blackstonian parlance that the honorable district court has no jurisdiction in the premises. It set forth that the governor's orders endow the military authorities with supreme power in this territory.

Another chapter in the miners' strike was reached December 3, when three military officers, one ex-convict and one detective produced P. H. Mullaney, W. B. Easterly and Victor Poole before Judge Seeds' court in answer to the writs I have already spoken of.

The capacity of the court room was overtaxed by the throng of interested spectators. On behalf of Col. Verdeckberg, Captain Naylor and Major McClelland, Attorney Crump addressed the court, stating that he desired to file returns on the writs in all cases. Attorney Hangs having filed motions to quash in the cases of Mullaney, Easterly and Poole. Mr. Crump was willing to comply with the court's orders affecting these three men, but in the cases of Davis, Parker and Kennison Mr. Crump stated that informations had been filed charging them with attempted train wrecking, and these prisoners would be held until they were demanded by the sheriff on proper capiases. The sheriff can have these men at Camp Goldfield, or they will be delivered here, added Mr. Crump. The court then ordered that the military deliver the prisoners to the sheriff at the county jail, upon the presentation of capiases.

Judge Seeds ordered the release of Easterly, Mullaney and Poole at 1:30 o'clock. Colonel Verdeckberg announced to the military escort that the men were free. Mullaney and Poole started down stairs, but just as they reached the foot of the stairs Poole was rearrested by the militia and detectives who were in waiting, and he was promptly returned to the bull pen.

Sheriff Robertson and Deputy Hi Wilson arrived at county jail with Davis, Parker, Kennison and Adams, the prisoners having been surrendered by the military authorities. Sheriff Robertson expressed himself as fully competent to take care of the men.

The information based upon the sworn allegations of Manager Campbell of the Vindicator mine, was not filed in the district court until shortly before noon December 3. It charged Steven Adams, W. F. Davis, Sherman Parker and Charles G. Kennison with the murder of Chas. McCormick and Melvin Beck.

D. C. Scott, special agent for the F. & C. C. railway, took the cue from Manager Campbell and filed a couple of affidavits against the bull pen prisoners, Sherman Parker and W. F. Davis, were implicated by Scott in the attempt at train wrecking near Anaconda. A strong effort had been made to fasten the crime upon McKinney, Foster, Parker and Davis. It was expected that Victor Poole would be implicated.

MARTIAL LAW IS DECLARED

Martial law was declared in Teller county December 4, 1903.

The "military operations" being so frenquently interrupted by writs of habeas corpus, capiases and other civil procedures, the commander-in-chief performed a brilliant coup against the "desperadoes" of the district and decided to declare the much threatened "martial law." It was such a simple thing that the wonder is that it was not done before. Eight "whereases" relating the horrors of the district, the intimidation or unfitness of the civil authorities, the bands of armed and desperate men threatening life—no, taking life and destroying property, and, for all the "denizens" knew, the fear that the future blood-shed might drown all the little fishes in the mountain streams, or some other frightful disaster, and perhaps an etc., or so, and one little "Now, therefore, I, James H. Peabody, governor of the state of Colorado, by virtue of the authority in me vested, do hereby proclaim and declare the said county of Teller, in the state of Colorado, to be in a state of insurrection and rebellion." The signature of the governor, perhaps a few blue ribbons and the seal, and then the long suffering C. C. district was "up against the real thing now."

The Victor Daily Record was notified by Major Naylor that it would have to refrain from publishing the Western Federation's official statement, and an editorial that had been written and was in the forms was ordered not published. The management was further notified that if any criticism appeared in the paper that was not acceptable, such as the editorial that had been written, to the military, that the paper would be suppressed and put out of business. In order to protect the legal issue of the paper and be allowed to do business under the martial law reign in the county, the news that appeared in the columns of this paper was published under the military censorship during the time of the military rule. The Record, it seems, was the only "outlaw" paper in the district and the military must "protect" the good people from the "contaminating influence" of its editorials.

The announcement of martial law was made to the people of Victor at about 5 o'clock in the afternoon when Majors McClelland and Naylor, at the head of a detachment of cavalry, halted at the corner of Third street and Victor avenue and Major McClelland read the proclamation of the governor.

The same formality was gone through with on the streets of Cripple Creek.

The reader will realize that "martial law" is a very serious thing, and, of course, calls for many proclamations, orders, instructions, etc., "By order of," "Signed, sealed, witnessed," etc., in order to give it the dignity due it. Of course these were forthcoming, and in sufficent number to suit the occasion (also to fill the pages of this book). One of them was the "surrender your weapons" affair, and in consequence no little amusement was derived by the delivery of weapons that were and weapons that "had been."

Taken all in all, however, martial law did not disturb the people generally as much as they had feared it would. Of course, it was very irritating to the inborn independence of American citizens, to see, day after day, armed guards parading the streets when they knew there was no necessity for it, and they felt it rather as an insult to their patriotism than any actual discomfort. Colonel Verdeckberg was placed in an embarassing position, but was courteous, and the writer believes did the best he could to prevent any undue discourtesies to the people who were so unbecomingly and unnecessarily harassed. Of course many of the patrol "rookies" imagined that Colorado's place in the union rested upon their shoulders, and naturally the too common disease of "swell head with nothing in it" was so frequent in the "ranks"as to become almost epidemic, and poor Colonel Verdeckberg had much "reducing of importance" to do.

THE CORONER'S JURY SERVES WRITS.

Application for a writ of habeas corpus for the person of Victor Poole was made in the district court December 9, by Attorney Frank J. Hangs. The defendants in the case were Colonel Verdeckberg, Majors Naylor and McClelland and Sheriff Robertson. Inasmuch as the sheriff was custodian of the prisoner, who was confined in the county jail, it devolved upon Coroner Doran to perform the delicate task of serving the writs.

Coroner Doran obtained service upon Colonel Verdeckberg and Major Naylor. The writs were returnable Friday, Dec. 11. By virtue of the recent declaration of martial law it was anticipated by many that the military authorities would coolly ignore the court's orders.

On December 10 the governor issued a proclamation, one calculated to suspend the writ of habeas corpus and remove a most sacred right of free citizens. It was sort of an eleventh hour proclamation, having been issued but a few hours prior to the filing of an answer to the writ in the case of Victor Poole. The proclamation was lengthy and cited many authorities, but the cause was in the last paragraph, which I quote:

"Now, therefore, I, James H. Peabody, governor of the state of Colorado, by virtue of the authority vested in me by the constitution of the state of

MAJOR H. A. NAYLOR.

Colorado and the laws thereof, do hereby declare and proclaim that in my judgment the public safety especially requires that the privilege of the writ of habeas corpus be suspended in this case, to-wit, in the case of Victor Poole, aforesaid, and I further direct that the said writ of habeas corpus be suspended in his case until further orders by me. JAMES H. PEABODY."

Attorney Crump, accompanied by the military officials, appeared in court promptly on the morning of December 11, and, holding in his hand the return made, explained the attitude of the respondents and said the court was bound to take cognizance of the condition of the law of his district, and that Col. Verdeckberg and Majors Naylor and McClelland set up the claim in their return that they are in full control of the troops in the district and maintain that their only authority was the governor, and that they would elect at that time to hold the body of the prisoner.

Judge Seeds stated then that the case would be continued for further hearing on the motion to quash the writ until 2 o'clock and also gave the respondents until that time to file criminal information against the prisoner.

Judge Seeds said: "Knowing as I do the civil courts of this county are earnest in their efforts to do their duty well and faithfully, I desire that you come into court at 2 o'clock tomorrow for a further hearing in this case."

At 2:30 Attorney Crump, for the respondents addressed the bench upon the motion to quash the return to the writ. He referred to the argument expended by the opposing counsel as "ingenious" but that it failed to prove that the military power is subservient to the civil authorities.

The court finally interrupted Mr. Crump with the remark that "There is an unbroken line of opinion regarding the existence of martial law, and all showing that such a state has not existed in this country except in case of actual warfare."

With but a few moments deliberation the court rendered his decision and issued the following order:

"State of Colorado, County of Teller, ss.

"In the District Court.

Victor Poole plaintiff, vs. Colonel Edward Verdeckberg, Major H. A. Naylor, Major T. E. McClelland, as members of the state militia of the state of Colorado, and H. M. Robertson, as sheriff of Teller county, as defendants.

"This matter having come to be heard this 12th day of December, A. D., 1903, upon the returns of Colonel Edward Verdeckberg, Major H. A. Naylor and Major T. E. McClelland, and the separate return of H. M. Robertson, as sheriff of Teller county, on the motion to quash said returns.

"The court, after listening to arguments of S. D. Crump, in behalf of the respondents, and Frank J. Hangs, in behalf of the petitioner; and,

"Being fully advised in the premises, doth find that the motion to quash should be sustained.

"Wherefore, it is ordered, adjudged and decreed by the court that the motion to quash the returns herein be and is hereby sustained.

"And it is further ordered, adjudged and decreed by the court that the respondents, an each an every one of them, do forthwith discharge the petitioner herein from custody.

"And it is further ordered, adjudged and decreed by the court that the petitioner herein do have and recover of the respondents his costs herein expended and have execution therefore.

"Done in open court, this 12th day of December, A. D., 1903.

"By the court. WILLIAM P. SEEDS, Judge.

"State of Colorado, County of Teller, ss."

The military refused to release Poole, and on December 14 Governor Peabody stated that the state would not appeal the case. Attorney Miller said that Poole and the miners could take no appeal in the matter, as they won in the lower court, and therefore would have no standing in the higher court. Attorney Samuel D. Crump gave it out as his opinion that the state would appeal in a short time.

On the morning of December 16 the supreme court heard the preliminary arguments in the application for writs of supercedas for the prisoners and issued two writs made returnable in five days, for Victor Poole and A. J. Paul, both of whom were held by the military in defiance of the civil authorities. The court decided no question in granting the application for the writ. It reserved all decisions as to its power to make jurisdiction in the cases, the right of the governor to issue a proclamation suspending the writ of habeas corpus in the case of Poole and all other questions involved.

After Attorney Hawkins had finished reading the petitions and made a short argument in the matter, Attorney General Miller was called upon by the court to express his views. He said: "There is no truth in the affidavits sworn to by these gentlemen. The worst crimes ever committed in the state have been done in Teller county and have gone unpunished. Criminals are arrested time and again and turned loose. It is nonsense for a man to stand up here before this court and make such statements. Ever since the county of Teller was a county, lawlessness has held sway there. There has been no law and order."

Attorney Hawkins was so surprised at the attack of the attorney general that he did not seem to realize for a moment the full import of the words. He then arose and said: "This is an unnecessary insult to me and to the court of Teller county. The statement of the gentleman is on a par with the way the military has done things in the past.

"It is in justice to Judge Seeds that I speak. Such an attack is little more than slander on the court of Teller county. Judge Seeds has the privilege of being defended when he is set upon in such a manner. It is absolutely untrue that notorious criminals have gone unpunished. The attorney general is evidently misinformed concerning the conditions in that part of Colorado, and his statements will not be borne out by the facts in the case."

If General Miller thought his statement would go unchallenged as to the conditions in the Cripple Creek district, he was mistaken. Affidavits were made out by public officials and prominent business men of Victor and Cripple Creek to the effect that the courts were open before the military came and that justice was administered properly, that the laws were enforced without favor and that the public safety was maintained in all quarters.

The following names signed to affidavits were sent from Victor: John Kettelsen, I. Amter, J. L. Wood, Ed. McGee, J. A. Beckman, G. A. Davis, John Harper, H. H. Rosser, W. F. Bente, Michael Gibbons, E. M. Overn, John L. Daily, J. E. Ferguson, J. L. McDermott, J. H. Burnham,, Patrick Lynch, James Doran, W. J. Donnelley, Frank P. Mannix, A. Striker.

Saturday, January 2, was the day set for the hearing, but the case was

JUDGE HARRINGTON.

dismissed from the supreme court, for the reason that Victor Poole had been turned over to the civil authorities.

The military and mine owners' attorneys, when they found that the supreme court would be forced to a decision, and knowing and fearing that the decision would be adverse to their stand and necessarily in favor of Poole, sought some means to get rid of his custody. They sought relief in Justice Harrington's court, and through one S. R. Lack (or Leck) filed charges of assault to kill in the dim distant years of yore, by Poole, causing warrants to be issued and turned over to the sheriff to serve. Poole claimed to have forgotten the incident upon which the civil arrest was based.

It is needless to state that the sheriff had no trouble in securing the custody of Poole. His trial for this forgotten alleged offense was set for January 9, on which date Attorney Crump appeared in Justice Harrington's court and asked for a continuance of ten days, claiming by affidavit that he was unable to secure the necessary witnesses.

Justice Harrington promptly decided that the whole affair was "horse play" and denied the motion for a continuance. The order of the release of Poole from custody followed forthwith. This abrupt termination of the sensational case was not unexpected by those familiar with its various stages. It was instituted for the sole purpose of preventing a final decision by the supreme court on the extent of the authority of the military in the Cripple Creek district. The legal representatives of the mine owners' were forced to evade the issue of habeas corpus. It was necessary to resort to subterfuge to accomplish this purpose, so it was decided to bring trumped up charges against Poole. Attorney Crump used Leck as a complaining witness and resorted to a justice court to carry out the miserable design. The scheme worked admirably. On the flimsy pretext that serious information had been filed against Poole, the military succeeded in preventing a decision which they mortally feared.

But what of Poole? Arrest, confinement, insult. Dragged from bull pen to jail, from jail to bull pen. Subjected to every humiliation that could be devised by persecutors. Innocent, and known to be innocent. Supposed to have the rights that are guaranteed to every freeborn American citizen. He was used by what should be the SUPPORT OF FREEDOM, for the purpose of CRUSHING the very name of justice. Verily is the state government of Colorado in a fair way to make of MEN anarchists, of LAW despotism.

UNION MINERS TO BE VAGGED.

January 7 was the day the military had set apart to put into force a "vag" law. January 6 was said to be the last day of grace allowed to the idle in which to go to work or leave the district. It was understood that a general "clean up" of dissolute citizens of the district would be inaugurated. The military authorities did not divulge their proposed modus operandi, though it was given out that they would not maintain a boarding house at Camp Goldfield. Those under the military ban were to be taken in by squads of soldiers as fast as possible and escorted to the camp, where they were to be given the privilege of leaving the district at once or entering the dreaded bull pen. When a sufficient number of prisoners were thus rounded up it was proposed to take them under military escort to the limits of Teller county and force them into exile. But when the day arrived the miners remained as usual. Three or four union men were told to go, but they remained as they had always been—law-abiding citizens of the Cripple Creek district.

The Western Federation issued circulars and distributed them over the district, urging the men to refuse to be driven from their homes. It follows:

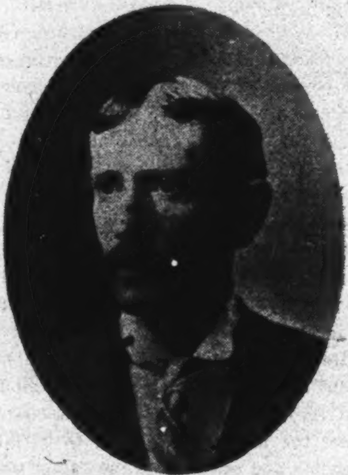
"NOTICE—To all members of the W. F. M. of the Cripple Creek district:

"It has been decided in many courts that members of organized labor are not vagrants. Keep your union cards and refuse to be driven from home. If compelled to leave by force of arms, union men are advised to return immediately to the Cripple Creek district. The Western Federation of Miners will provide for all striking miners families.

"CHAS. H. MOYER, President.

"WM. D. HAYWOOD, Sec.Treas. W. F. M."

Immediately after the above notice was distributed on the streets of Victor the military got immensely busy in a vain effort to "suppress" them. They searched Miners' Union hall, but could not find this "terrible literature" but they scared the Record into stopping the press that was turning them out and also arrested a boy who was distributing them. They also tore down all that they could find tacked up on bill boards and telegraph poles.



R. E. CROSKEY DRIVEN FROM THE DISTRICT.

In the early part of December, R. E. Croskey, first vice-president Colorado State Federation of Labor; secretary District Trades and Labor Assembly and the author of the "official statements" issued by the Executive Committee District Union No. 1," had business in Denver and quietly left the Cripple Creek district. He has always been a recognized leader of organized labor in the district and therefore it was announced that "military necessity" made it imperative that Mr. Croskey should be exiled to the bull pen. The military scoured the district for this recognized enemy of the mine owners, but while they were doing so, he was taking a quiet little walk over the Rockies out of the district. In an interview in Denver Dec. 10 Mr. Croskey said in part:

"I do not fear the 'bull pen.' It has no terrors for me. I am no better than others who are now in it. It is a part of my duty to go there, and I shall. I will spend my time in reading. I want to read again Thomas Payne's 'The Rights of Man.' I will enjoy it there under the tent of Peabody's tyranny. Then I expect to again read the Declaration of Independence, Lincoln's inaugural address and his Gettysburg speech, and other FICTION so dear to the hearts of Americans."

"Mr. Croskey emphasized the word 'fiction' and flashed his sharp eyes for the instant upon the catechist, to see if the chosen words had gone home.

"Then, too, I may read the constitution of the United States, if I am permitted to do so by the powers that rule over me. I shall not worry about my fare or how long I will be held. After all, it is but a little while here. I want Governor Peabody and General Bell to know that we are not afraid of their jails. I want them to know that we will go in and come out by the same door. They cannot crush out the spirit of freedom that dwells in the hearts of the men he is persecuting. That, you know, was tried long ago, and it failed."

Mr. Croskey returned to the district a few days after the interview, but never occupied the bull pen. The opposition recognized in him a formidable and dangerous "enemy," but "kept their hands off."

FIRST BLOOD OF THE CRIPPLE CREEK "WAR."

The first blood of the "Cripple Creek War," (with the exception of the burro) was on December 28, when John M. Glover issued an inflamatory defi to the military authorities in regard to giving up arms. The cause of the excitement was the following letter which Mr. Glover turned over to a representative of the Denver Republican:

Cripple Creek, Colo., December 28, 1903.

"I observe that Colonel Verdeckberg issued still other proclamations calling for more arms and detailing the strenuous things he will do if they are not surrendered. Tell the Colonel that there are two guns in my office and they are not registered; they are mine; the constitution gives me the right to carry them; they are loaded to the brim. The colonel can have them when the supreme court ratifies his criminal usurpation against the liberties of the people of this county and before that whenever he is brave enough to murder under his illegal orders.

"I look to see the supreme court ransom this people and all the active agents in this conspiracy against human rights sent to the penitentiary, where they belong.

"A disorderly and lawless governor, who prostitutes the military arm to crush one side of an industrial controversy—I don't care which side—is the chief anarchist in the state. Where agitators make single socialists he makes them in shoals. Tell the colonel to come when I am at home and to come at the head of his squad. If, whenever a governor is base enough to tell a transparent and wicked lie about a community he can by virtue of that lie wipe away all my constitutional rights and put me under the government of a San Hedran of wild asses' colts like Bell, Chase and McClelland and company, I am ready to pass in my chips at any time.

"As for unionism, it is stronger today than ever. It is built on a basic principle of human nature. It can't be stamped out by the military heel. Persecution strengthens it as it strengthened the early church.

(Signed) JOHN M. GLOVER."

MR. GLOVER'S STATEMENT.

"The soldiers came to the office and demanded entrance. I refused and barricaded the door. After an hour I heard boring at the lower right hand corner of the door. I looked through the glass (upper half) and found a soldier crouched there. They were in fact afraid to enter and were tying up the door to starve me out. I did not know this and thought he was affixing something to the door to blow or force it open. After warning him twice I began to shoot. The soldiers swore afterwards that I fired three times. At any rate the return fire, twenty-five shots, riddled the office and one bullet caught me in the left arm, cutting the ulnar nerve, paralyzing the left arm for many days and the right hand temporarily, so that I could not pick up the gun (a sporting model Winchester) which had fallen to the floor. I then began to appreciate the beauties of peace and surrendered. I was thrown into the county jail which had been seized by the military. The next day I was released and went to St. Francis hospital, Colorado Springs, having signed the following parole:

"I accept my release from confinement in Teller county on the following conditions, which I pledge myself as a gentleman to follow strictly:

"First, I shall return to the Cripple Creek district and surrender myself to Colonel Verdeckberg, or any other officer in command when requested to do so by such officer.

Second. That until I have placed myself in the custody of such officer or other proper authority the sheriff, etc., I pledge myself to not talk or write for publication nor institute any proceedings legal or of any other kind."

"As soon as the wound passed the danger of blood poisoning (which would have been a sure thing in the microbe-ridden jail) I returned to Cripple Creek and notified the commandant that I would no longer be bound by the parole, and would prosecute him and his accomplices, and he sent a file of soldiers and arrested me at once, and after holding me in the jail for two days, threw me into the military prison and held me for sixteen days. The blankets were so filthy that if you slept in a clean shirt one night, it looked next morning as if you had worn it six weeks. The wound which had been open and treated daily, was deliberately neglected and closed over the dressing and the inflammation of the injured nerve intensely increased so that I could only sleep in snatches from sheer exhaustion. After eleven days, I was taken twice to Cripple Creek to have the wound dressed by my surgeon, but I would not agree to trade the right of free speech for the right of humane treatment, and that was stopped. As a consequence of the first eleven days neglect the arm seems to have stiffened permanently in an unnatural (bent) position. Meanwhile two informations had been prepared, one for shooting with intent to kill Soldier Smith and the other for the same as to Soldier Dittemore. Tried on the last charge, the judge, a republi--can and appointee of Peabody, instructed that the soldiers had the right to take the guns and I had no right to resist. I defended myself, scared the governor unmercifully and got a compromise verdict of simple assault, penalty $100.00 or six months in county jail, motion for new trial pending. Nothing the matter with this verdict except that the information states no offense, one-half of the instructions are erroneous under Colorado decisions, and there is no evidence to show that I shot at Dittemore, though much to show that I shot at Smith who was crouching at the door. It will last about as long as the proverbial snowball in the regions below, when it reaches the supreme court. Tried on the Smith charge I got an absolute acquittal on the ground that I was in jeopardy already in the Dittemore case. I am now about well. I intended by precept and example to cause a general forcible resistance to the disarmament order. The certainty of this killed the plan dead. Behind it there was to my certain knowledge a scheme to which Peabody was a party, to deport 1,500 or 2,000 striking miners who were living on the proceeds of their own toil, as vagrants. It was per-force abandoned when the disarmament failed. As the troops were only used to 'job' the strikers, there was no further use for them and so they went out. I had an inspiration that all this would follow. If Peabody had attempted the same lawless game in any county in Missouri, his army would have been shot up and himself hung to his own door post within a week.

"The pacific fight of the unions was too strong to be beaten except by the unlimited and unscrupulous use of the military arm. In attempting to crush them, Peabody made slaves of us all."

J. C. SULLIVAN, PRES. COLORADO STATE FEDERATION OF LABOR.

State Federation of Labor Calls Convention

December 30 there was issued a call by the Colorado State Federation of Labor for a mass convention to go into session January 11 to consider the welfare of organized labor throughout the state. I give the official call complete, which explains itself:

TO THE UNIONS THROUGHOUT THE STATE OF COLORADO:
OFFICERS AND MEMBERS, GREETING:

"Denver, Colorado, December 30, 1903.

"A crisis has been reached in this state which demands that the members of organized labor shall no longer remain mute and silent. The rights, the liberties and the citizenship of labor have been assailed with a wanton, cold blooded premediated brutality that finds no parallel in the crimsoned pages of Russia's blood curdling history. "The land of the free and the home of the brave" has been converted into a Siberia, where gubernatorial czarism has climbed to the loftiest summit of despotism; where military might rides rampant over the constitution and the laws. The laboror's home, which is the castle of the poor man, is no longer sacred. The hearthstone, the family fireside, is invaded and desecrated by military outlaws, and citizenship subjected to all the indignities, humiliation and reproach which corporate cunning and power, can suggest and devise, and which armed infamy can execute; civil authority has been strangled, and a free press and free speech have been suppressed. The member of organized labor who strikes, has been declared a vagrant and to be a union man, merits the dynamite of the corporation to destroy his home and the penalty of incarceration in a military 'bull pen,' without charges, warrant or due process of law. Never before in the history of this country, have such scenes been witnessed, as here in the heart of the Rocky mountains.

"Courts of law are no longer recognized as temples of justice, and the manifestation of that spirit of patriotism and independence that fired the brain and nerved the arm of our ancestry of '76, is met with bristling bayonets of a military mob. The Patrick Henrys, the Washingtons and the Franklins of the Eighteenth century heard the haughty mandate issued from the lips of King-hired Hessians: 'Disperse ye rebels,' and now in the early morn of the twentieth century, after more than a hundred years have elapsed since the Declaration of Independence was baptized in the blood of valor and heroism, we hear the exultant shout of military—fortified plutocracy calling upon the hosts of organized labor to disband, and bow the knee in cringing sycophancy as slaves to tyrants and masters. In the lexicon of freedom, there is no such word as surrender. Brawny arms and brave hearts will not retreat before the pitiless monsters of incorporated greed, backed by the state militia recruited from the slums and riff-raff of humanity. The uniform of the soldier in the state of Colorado, has become, through a Republican administration, the emblem of disgrace, and the garb in which anarchy masquerades as law. The time has come when labor must speak in no uncertain tones, for upon the dauntless courage of the working men of this nation depends the life and liberty of the citizen and the stability of the government. In the language of the Revolutionary hero, 'these are times that try men's souls,' and the day has passed away when the 'summer patriot' and the 'sunshine warrior' can hug delusions to his breast. 'Eternal vigilance is the price of liberty.' And the time is now, when the clarion voice of labor must be raised and heard in every city, town and hamlet in the state, calling a halt to military imperialism. Every union throughout the state of Colorado, regardless of the affiliation with the National or International bodies, are earnestly urged to send one or more representatives to a convention that is to be held in the city of Denver, Monday, January 11, at 10 o'clock a. m. in Waiters' hall, Club building. The strike of the miners in the Cripple Creek district, Telluride and the coal fields has resolved itself into a battle, which leaves no longer room for doubt that every craft and department of unionism, are threatened with annihilation. The gauntlet has been thrown down, we must take it up, pledging 'our fortunes and our all' as did the sires of the Revolution, when driving the tyranny of King.rule from the shores of Young Columbia.

"Let no union in the state fail to send one or more delegates. Bring credentials from the union, properly signed and sealed. All officers and representatives of National or International bodies are eligible to seats in the convention and are respectfully requested to be present.

"J. C. SULLIVAN, Pres. Colo. S. F. of L.

"HARRY B. WATERS, Secretary-Treasurer."

In answer to the above call by the State Federation of Labor, more than 350 delegates assembled in the city of Denver, January 11, to consider ways and means to meet the emergencies that are arising from present industrial conditions. The ringing addresses that were delivered by the prominent men and women in the convention, and the Niagara of applause that greeted the thunderbolts of indignation that were hurled at Colorado's despot, demonstrated that organized labor in the state is aroused to the necessity of action to relegate the present administration to political oblivion. When the convention was called to order by J. C. Sullivan, the president of the State Federation, the Waiters' hall in the Club building was crowded to the doors, and the earnest and eloquent words that fell from the lips of the chairman impressed the delegates with the fact that the time had come in the history of the state, when the brawn and muscle of the citizenship should "hew to the line, let the chips fall where they will."

Mr. Sullivan said in part as follows:

"Friends and fellow citizens, I greet you. An industrial condition that makes necessary the assembling of labor's hosts in special convention, is certainly significant, and if the facial expressions of firm determination that are stamped on the countenances of this magnificent audience correctly reflect its feelings, there is still hope that 'liberty' and 'justice,' though banished from this centennial state of ours, 'by order of a political accident,' and citizens forced to leave their homes and firesides at the bayonet point in the hands of 'our' modern 'Hessians,' for the sole and only reason that they refuse to join forces with our "modern Tories," and say they will not sell their manhood on mammon's greedy altar nor bow the knee in cringing sycophancy to the aristocratic anarchrist, though he be clothed with brief official authority. This, my friends, is a gathering that, if each and every delegate here assembled does their full duty to their country, to their fellow man, to themselves and to the posterity of mankind, this meeting will go down in the annals of history as the most important gathering that has ever been held in Colorado up to this time. But if, for any reason, you fail to do your duty, you will, by that failure, assist the modern Tories and the mine operator's hired Hessians to banish the lovers of liberty from their homes and firesides, and establish in their stead willing corporate vassals, to whom manhood is an unknown quality, to whom justice is a myth, and liberty an illusion. The time is NOW, my friends, when not only labor's voice must be heard, but labor's hosts must act if necessary, if justice is to be again enthroned in the fair state of Colorado."

After Mr. Sullivan's address the next order was to select a chairman and secretary.

The selection of a temporary chairman and secretary resulted in the unanimous choice of President Sullivan as temporay chairman and H. B. Waters of Denver, as temporary secretary. Both were later made permanent.

Secretary Waters then read the call for the convention and the 350 delegates listened with serious faces to the arraignment of capital and state officials. The strong and vigorous language brought forth bursts of applause.

"The uniform of a soldier through the Republican administration in Colorado has become the garb of tyrants and of disgrace, in which anarchy stalks in the garb of law," read Mr. Waters, and the audience thundered approval.

Then followed appointments of committees on rules of order, credentials, resolutions and press, with other routine convention work.

When the convention resumed its labors Monday afternoon, the secretary read the following telegram from "Mother Jones:"

"Trinidad, Colorado, Jan. 11, 1904.

"State Federation of Labor, Convention hall, Denver, Colorado:

"To the delegates of the State Federation of Labor, greeting—Let your deliberations be tempered with a high sense of justice for all mankind; malice toward none, for you are the bulwark of the nation. The day dawneth when you shall get your own. Fraternally in the cause of labor,

"(Signed) MOTHER JONES."

The convention, by a motion that was carried unanimously, instructed the chairman and secretary to answer the telegram of "Mother" Jones. The following is a copy:

"To 'Mother' Jones, Trinidad:

"The greatest labor convention ever held in the state, sends you greeting and wishes you health and Godspeed.

(Signed) J. C. SULLIVAN, President.

"H. B. WATERS, Secretary."

The following resolution was adopted and sent to Senator Patterson:

RESOLUTION.

"Whereas, The convention, representing 35,000 members of organized labor in the state of Colorado, has been called to take cognizance of industrial conditions and the course followed by Governor Peabody.

"Resolved that the situation in this state is so grave that the facts should be laid before the nation in an authorative manner. To that end we urge the immediate passage by the United States senate of Senator T. M. Patterson's resolution, directing the senate committee on judiciary or a subcommittee thereof to come to Colorado and make a searching inquiry into the conditions existing in this state. Organized labor courts an investigation and we feel sure that we are voicing the sentiments of every labor organization in the state when we promise the senate committee our hearty co.operation.

(Signed.) "J. C. SULLIVAN, President."

The convention levied an assessment of 25 cents per week upon the membership of organizel labor in Colorado, during the continuance of the present strikes.

The committee on resolutions brought in the following report which was adopted with but two dissenting votes on a roll call, which was asked for by Charles H. Moyer, president of the Western Federation of Miners:

RESOLUTION.

Denver, Colo., January 13, 1904.

Whereas, Organized labor in the state of Colorado is fighting a deathless battle for the right to organize and live; and

Whereas, The chief executive and the state administration have conspired and entered into collusion with the Mine Owners' association, the smelting trust, the Colorado Fuel and Iron company and the commercial allies known as the Citizens' alliances in defeating the political mandate of the people as expressed at the polls in November, 1902; and

Whereas, The state militia have become corporate hirelings and resolved themselves into a military mob, to annihilate organized labor, to train gatling guns upon the temple of justice, to defy the courts, to invade the sanctity of homes, to arrest without warrant or process of law and incarcerate in a prison, known as a military "bull pen," men who have committed no crime, save to clasp hands under the banner of unionism; and

H. B. WATERS, SEC'Y. STATE FEDERATION OF LABOR.

Whereas, The governor of this state has declared martial law in Teller and San Miguel counties, and with the power of armed might deported law abiding citizens and branded them as vagrants and outlaws; and

Whereas, To quote from the "Declaration of Independence"—"That to secure our rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed, will dictate, that governments long established should not be changed for light and trancient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security." And

Whereas, Free speech has been strangled, the press muzzled and the writ of habeas corpus suspended by military imperialism, backed by bristling bayonets; and

Whereas, The presence of an armed soldiery in Teller and San Miguel counties, was for the sole use and benefit of the Mine Owners' associations in their warfare against organized labor and not to presqrve law and order as neither was being violated; now therefore, be it

Resolved, That the delegates and representatives of organized labor in convention assembled, condemn and denounce the assaults of the state administration upon the rights and liberties of citizenship, by trampling under the iron heel of military despotism every principle of the organic law of the state.

Resolved, That we demand the immediate withdrawal of the troops, so that law and order may again prevail in Teller and San Miguel counties.

Resolved, That we are unalterably opposed to placing upon the shoulders of the tax payers the expense incurred by the state militia while quartered in the strike regions during the years 1903-1904.

Resolved, That the membership of this convention, representing 50,000 members of organized labor in Colorado, will vote for no candidate for the Fifteenth General Assembly who will not pledge himself, in the event of his election, to use his vote and influence against any and every measure looking to the payment of a single dollar of the expenses referred to.

Resolved, That when the reign of military anarchy is at an end in this state, we urge the membership of organized labor throughout Colorado to come to the aid of the martyrs of "bull pen" imprisonment, so that the wrongs and outrages from which they have suffered may be righted in the courts.

Resolved, That we commend and admire the gallant and unflinching battle of the Western Federation of Miners and the United Mine Workers of America, who have bared their breasts to corporate power, and who are now forcing greed to hoist the white flag.

Resolved, That we urge the membership of organized labor to establish co-operative stores wherever possible, in order that unionism may successfully measure steel with that band of brigands and pirates who have registered their names upon the roll of the Citizens' alliance.

Resolved, That we call upon the membership of organized labor in every city, town and hamlet and every liberty loving citizen of the state to march to the polls in November, 1904, and bury the present administration so deep beneath an avalanche of ballots, that a million blasts from Gabriel's trumpet will not be able to awaken it from political oblivion.

(Signed.)

F. W. HYNES,	JAS. T. SMITH,
CHAS. DELOCHTE,	JNO. OLIVER,
J. R. HERMAN,	A. S. LEWIS,
P. J. DEVAULT,	WM. M'ALLISTER,
W. D. HAYWOOD,	MRS. ADA B. HANNA,
M. E. WHITE,	F. E. M'CAFFERTY,

JOHN M. O'NEILL.

Many resolutions were introduced and adopted by the convention. John Oliver, Denver Typographical union No. 49, introduced a resolution in regard to this work, which was as follows:

RESOLUTION.

Whereas, Mrs. Emma F. Langdon, representing Victor Typographical Union No. 275, in this convention, when the employes and editorial force of the Victor Daily Record was thrown in the "bull pen" for defending the rights of organized labor, in an effort to compel the suspension of that paper and throttle the friend of organized labor in that district, did jump into the breach and alone and unaided did issue the paper, and

Whereas, Mrs. Langdon is now compiling a comprehensive history of the strike in the Cripple Creek district which will be a true and concise resume of events from its inception to the close of the aforesaid struggle, be it

Resolved, That this convention does endorse said history and recommend the same to the public in general and to organized labor in particular so that they may know the facts as they exist.

The above resolution was adopted unanimously.

COMMITTEE CALLS ON GOVERNOR PEABODY.

A committee of the State Federation of Labor called on the governor Thursday, January 14, and made the following requests:

That the troops be withdrawn.

That the vagrancy order be recinded.

That the deported men be allowed to return to their homes.

The governor gave a specific reply. He promised "justice" to all the miners, etc.

The committee who presented these demands consisted of the following: A. B. Hynes, John Oliver, Thomas Hyder, Mrs. Mary Clough Watson, John McIntyre, A. F. Brown and Benj. Wolf.

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JAMES HAMILTON PEABODY, GOVERNOR OF COLORADO.

Thomas Hyder, in his report, spoke of the governor as "wearing a smile that never comes off."

The report of the committee was made by Chairman Thos. Hyder. Among the things the governor offered against the Telluride miners was that he had "only deported foreigners, ex-convicts, etc., most of whom bore assumed names." The writer, at the very moment the chairman of the committee was making the report, had the honor of occupying a seat next to Guy E. Miller, president of the Telluride union, who had been deported by order of the "czar." I made inquires of Mr. Miller, "Guy" as he is commonly called, as to his convict number and also as to what his real name was, but for the reason that at birth he had been christened Guy E. Miller and for the additional reason that he had never been to the penitentiary I could obtain no satisfactory reply to my question.

While the committee was still reporting the good promises made to them by the "czar of Colorado," how each and every man would have "justice," etc., there came a message to the convention from the Cripple Creek district that Sherman Parker had again been arrested by the military and again confined in the military prison. The message aroused the indignation of every delegate in the convention. Much discussion followed.

The convention was in open session at the time the message was received. A motion was made that another committee be appointed to wait upon his excellency and DEMAND the release of the much persecuted Sherman Parker. Previous to the motion for a committee, Guy E. Miller made a motion that the convention wait upon the governor in a body and demand the release of Parker. The appeal made by this loyal union man, who had suffered arrest three or more times, incarceration in the bull pen and finally deportation, will ever remain fresh in my memory; the eloquence of his address not having been surpassed by any orator I have ever heard. However I realized then, as I do now, that the calling upon the governor in a body could not have accomplished anything. The motion so ably placed before the convention by Mr. Miller lost, and a committee was appointed to see the governor the following morning. Mrs. Ballard, of Goldfield, was chairman, the other members being F. Waldron, Franklin W. Hynes, George S. Wells and P. C. Reilly.

The committee on the following morning, January 15, met and invited A. W. Ricker and the writer to accompany them to the capitol. We were not kept waiting long before the governor rushed on the scene like the hero in a play. He still wore "the smile that never comes off" and greeted us very cordially. The chairman presented our DEMAND in typewritten form, which stated our mission. He answered without hesitation that he positively refused our request. We then asked that he at least make known why no charges had been preferred against Mr. Parker. This he stated would all come in time, also that Parker would, at some future time, be given a hearing in the civil courts. He also stated that Parker was a criminal. That but for a few "agitators" the trouble would have ended long ago, etc. Whereupon a member of the committee reminded him that there were "agitators" on both sides.

Sherman Bell, minus his military uniform, was present but was unrecognized by the committee. He was dressed in civilian clothes, and the writer, not having seen him when not on dress parade, and being so intent on studying the features of the governor, only glanced at the intruder, and if I gave him a thought at all, I thought he was the janitor.

However that may be the members of this committee expressed their feelings very strongly, also politely, to the governor. I did not say much to him. I did not go to talk. I went to form an estimate of his character. I failed—because I found he had no personality of his own. I believe, from my study of him, that he is simply a tool in the hands of those who get hold of him first. That he is not the governor, nor never has been. I believe that Sherman Bell is Peabody's mental master and dictates his policy.

The reader will please forgive me for drifting so far from my subject—the convention. But to return: To the writer's mind the greatest work accomplished for the good and welfare of those oppressed, was the appointment of a committee to be known as the Ways and Means committee. By a unanimous vote this task was placed in the very able hands of the chairman, J. C. Sullivan. After the chair had made his appointments from all parts of the state, by motion it was voted to make Mr. Sullivan president and H. B. Waters secretary of the committee, which was carried unanimous. Following is the committee:

H. V. McKinney, Victor; Charles P. Smith, Colorado Springs; Thomas Taylor, Denver; Thomas M. Hyder, Denver; Frank M. Hermond, Spring Gulch; Olinto Marcelina, Williamsburg; James Brown, Lafayette; C. W. Turner, Denver; A. F. Browns, Sterling; Charles H. Moyer, Denver; C. W. Rosman, Denver; H. A. McIntyre, Pueblo; R. P. Rubin, Salida; Charles A. Rice, Russell Gulch; R. Wolf, Trinidad; S. L. Johnson, Leadville; Peter Chelius, Grand Junction; Harry Orchard, Independence; J. C. Sullivan, Denver; H. B. Waters, Denver.

The convention after a session of four days adjourned sine die Thursday evening, the 14th. The convention, in all probability, was one of the most important labor meetings that ever assembled in the city of Denver. The lines which have been drawn between the various crafts of organized labor in the past are rapidly disappearing, and the many logical and forceable speeches that were heard by the convention will have the effect of cementing the different unions in the state into a solid phalanx which will cause the advancement of the class that is now struggling to maintain the rights and liberty of citizenship from the relentless assaults of despotic greed. The Ways and Means committee has appointed subordinate committees to act in conjunction with it, and in a few months the laboring people of Colorado will be standing as a unit against corporate tyranny and oppression. Never in the history of this state have the laboring men and women been aroused as now, and the near future is bound to show results from unity of action, that will bring the human family closer to the dawn of a day when wage

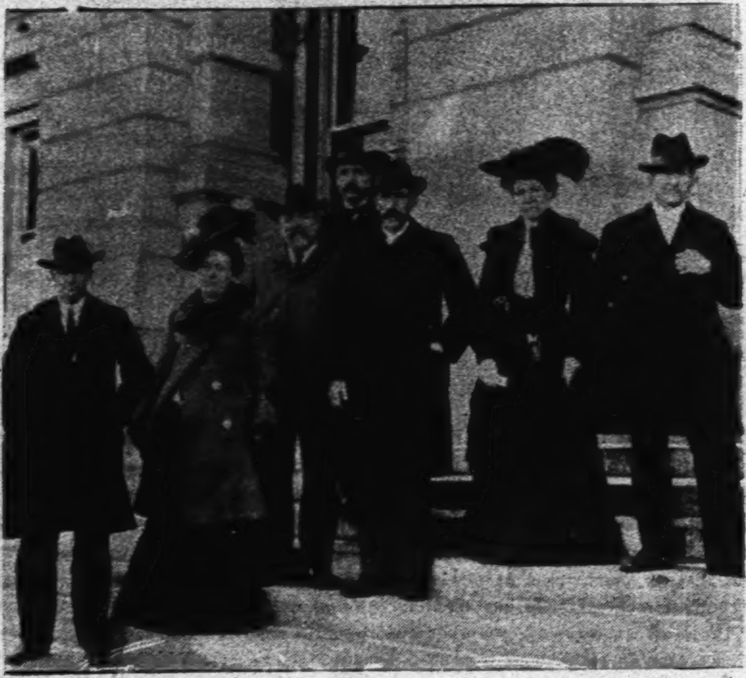
JOHN M. O'NEILL, EDITOR MINERS MAGAZINE.

slavery and capitalistic oppression shall go down to their eternal death.

Among the great workers for the cause of unionism in the convention the writer enjoyed hearing John M. O'Neill, editor of the Miner's Magazine, and one of the leading spirits of the Western labor movement, a gifted author and scholar. He has spent most of his life in the mines and is one of the most expert workmen that ever handled a drift. He is a quiet and modest man in his demeanor, with a heart as gentle as a woman's, but with a latent fire that, once aroused, moves multitudes to action. He wields a forceful pen, and his literary ability is needed so much at headquarters that he has little time for platform work.

There were other men of recognized ability as leaders, among whom I might mention Thos. Hyder, of Denver; Charles Payne Smith, of Colorado Springs; H. A. McIntyre, of Pueblo.

It may be entirely out of place in the pages of this work, but in connection with the convention I cannot refrain from speaking of the royal hospitality extended from the "boys" of Denver Typographical union No. 49, among whom I met President Collett, Secretary William Tanner, Frank Pulver, Frank McNamara, John Oliver and others. Also Charles Payne Smith, of Colorado Springs and H. A. McIntyre, of Pueblo; all of the foregoing being very prominent delegates to the convention. The writer was a delegate from Victor Typographical Union No. 275.



COMMITTEE THAT WAITED UPON THE GOVERNOR.

GUY E. MILLER.

The Telluride Strike.

(By Guy E. Miller.)

The Telluride strike, the result of a demand for an eight hour day for the mill men working in the jurisdiction of that union.

The present strike is so closely connected with the strike of 1901 that a resume of the situation is necessary to an understanding of the conditions in that camp.

On the 1st of May, 1901, a strike was declared on the Smuggler-Union properties for the abolition of the contract system. This system was introduced by Manager Arthur Collins, a man whose hate of unionism seemed innate and who fully believed that corporations had the right to prescribe the conditions under which the workers would be permitted to live without a word of protest on their part.

Under the contract system the miner boarded at the company's boarding house, was furnished powder and tools; at the termination of his contract the expenses incident to his work, board, powder, etc., were deducted from the amount owed him by the company—a stated sum per fathom. Under this system piece work applied to mining. The price per fathom was steadily reduced and the exactions of the company increased. At its inception the miner was only required to break the ore, but before the strike he had to reduce the ore to a suitable size and throw it into the mill holes.

Some men made fair wages; others quit work in debt to the company.

During the strike the company employed thug deputies, although the union had offered to guard the property and guarantee its protection without expense to the company. Union men were beaten up whenever opportunity offered. The trouble culminated the 3rd of July, 1903, when the deputies opened fire on a band of union men, instantly killing John Barthell. The fire was returned and in the fight which followed two of the scabs were killed and a few men injured; among them Charles Becker, superintendent of the mine.

An agreement was reached between Manager Collins and the union under which the contract system was continued in a modified form. The company or the individual had the right to terminate a contract at any time but the contractor received at least wages for the time he was employed.

In the campaign of that year Vincent St. John, president of the union and leader of the strike, was the democratic nominee for sheriff. He was most bitterly opposed by the mine managers, who formed a close alliance with the republicans, who nominated Cal Rutan. Rutan was elected by a small majority, and has obeyed his masters with more than asinine docility.

During the strike and throughout the campaign, the Telluride Journal, long known as an enemy of organized labor, attacked it and St. John with all the malignant hate that base natures can feel for those who would be free. Assassins and murderers were the favorite terms in characterizing the union men.

On the 1st of January a boycott was put on the Telluride Journal that for more than a month was better kept than the ten commandments. The Journal was tottering to its fall. Mr. Collins succeeded in organizing a Business Mens' association to sustain his sheet. It has since become a Citizen's alliance—the concrete expression of the Journal's hatred for organized labor. From the day of its birth to the present these twin devils of hate and greed have sown the seeds of discord and now strong men, tender women and helpless infants are reaping the harvest in an exile's camp.

On the 20th of November one of the direst tragedies recorded in the history of metalliferous mining occurred at the Bullion tunnel of the Smuggler-Union mine. The train house at the enterance to the tunnel caught fire. A car load of baled hay had been dumped at the mouth of the tunnel. On that cold November day the warm air of the tunnel formed a perfect chimney for the smoke and gas. Mr. Edgar Collins, superintendent of the mine, directed fitful efforts to stop the flames, then gave his attention to removing Winchesters and munitions of war from their close proximity to the flames. It is more than charitable, perhaps only just, to state that he did not understand the significance of his action in attempting to save arms rather than men.

The fire had made great ravages before any attempt was made to warn the men in the mine of their danger. When a messenger was sent he attempted to bring the men out by the same entrance he came in, instead of another, nearly a mile distant from the flames. All who followed his lead lost their lives, as did many others.

The fire soon attracted the notice of men on the Tom Boy, and a group of them, headed by the foreman, Wm. Hutchison, soon arrived. On viewing the smoke pouring into the tunnel, Hutchison at once gave orders to blow up the mouth of the tunnel. Had that order been given as soon as it was apparent that the fire could not be extinguished, all would have been saved.

As soon as the fire died away a rescue party began the work of removing the debris from the mouth of the tunnel. All that night in the flickering light of a gas jet we worked to bring our brothers to the light. The first rescue party were driven back by the smoke and gas and several narrowly escaped suffocation. Twenty-five men perished. Sixteen union men were buried at one funeral.

I have heard the miners accused of being cold-hearted and unfeeling. I have never heard a charge more basely false. The mines were all closed on the day of the funeral and the mining population of the hills with delegations from surrounding camps followed our brothers to the grave. There were but few cries, but gloom sat on the brows and grief clutched at the hearts of those men who saw the interment of a sacrifice. Well they knew that "someone had blundered."

It was a colossal sacrifice to the weakness and inefficiency of a man who should have been wise and efficient. For such blunders—worse than crimes—no one seems to be blamed, least of all the directors who would seem to owe some duty to the men who risk their lives in the creation of dividends. It would seem that they owe the duty of appointing to places of trust for their efficiency rather than their connections, and the further duty to provide at least all the safety appliances prescribed by law. Neglect of such duties renders them liable morally for the consequences resulting therefrom Place the list of such victims by the list of offenses, crimes if you wish, charged against the union, and the latter fade into insignificance.

I might mention here that it is only crimes in which they think there is a possibility of implicating the union or a member of it that is heralded abroad. There are some prominent Citizen's alliance men that don't care to have Jim Clark's murder investigated. Sam Huston, a union man, was shot under an electric light a few months ago. But little was said or done. The disappearance of men has been charged to the union persistently months after the alleged victim was seen on the streets of Denver. How many alleged union crimes exist in the bloody imaginations of that band of men who have organized vigilant committees to dispose of objectionable men, but who have never had the nerve to call in person?

A year after the Smuggler-Union fire, the community was shocked by the report that Manager Arthur Collins had been shot. He died a short time after. The assassin had stood near a window and fired a load of buck shot into the back of his victim. It was a loathsome, horrible crime. None regretted it more than union men. He had not gotten along well with the union. I should not judge that he was well calculated to make friends with working men anywhere. The old idea of master and servant was too strongly in evidence in his treatment of working men. But men do not commit murder for any such reasons. It is not the clash of principles nor the question of manner of an individual that will explain the commission of such a crime. Only a weak, unbalanced mind, smarting under the sense of personal wrong and without the courage to meet the wrongdoer face to face, could have been guilty of such a cowardly crime. Manager Collins had made enemies, but he had the respect of the miners. He always fought in the open. He stood without equivocation. He represented the interests of the company and used the methods he deemed best adapted to serve their interests. It is the camp follower and not the soldier who commits the crimes at which the common instincts of humanity revolt. Such was the murderer. Such deeds are in direct conflict with the spirit of unionism, its principles and its methods.

On the last day of February a snow slide occurred on the property of the Liberty Bell, destroying considerable property and the lives of seventeen men. This was the accident explained by Adjutant General Gardner as an evidence of the "wrath of God" and a visitation of his justice on the Telluride union. Men acquainted with the general say that his conduct does not evince any close communion with the Almighty. Men who search for natural causes explain it by saying that the trees for a long distance on the mountain side had been cut by the company for mining timbers.

Other accidents might be mentioned, but these are sufficient to show that the lives of working men are subordinate to other considerations with the companies and all have conspired to intensify the bitterness existing between the mining companies and the miners.

The failure of the legislature to pass an eight hour law after the amendment had been passed by such an overwhelming majority, was a great disappointment to organized labor everywhere. It seemed clear to them that neither the solemn sanction of an oath nor the unmistakeable mandate of the people could direct legislators under the seductive influence of corporate gold. The lawmakers were against them. If they were to better their condition they must take by organization that which they should have enjoyed by legislation.

The annual convention of the San Juan District Union met the 1st of August and passed a resolution demanding an eight hour day for the mill and smeltermen in their jurisdiction, to take effect not later than September 1, 1903. A committee from the millmen of the Telluride union was chosen, their demands formulated and presented to the Telluride Mining association. The association replied that some of the men included in the demands were under a contract that had more than a year to run and that the scale submitted by the committee called for the same wage for an eight hour day as was formally paid for 10 and 12 hours. A meeting of the union was called and the demands modified. All men under contract were to work as before. There was a general reduction of 50 cents per day in wages. Men working for $4.00 were to get $3.50, and the $3.50 men were to get $3.00. $3.00 constitute a minimum wage.

The committee from the union met a committee from the association composed of Bulkely Wells of the Smuggler.Union, Cooper Anderson of the Nellie and A. C. Koch of the Alta. Mr. Wells acted as spokesman. He stated that he would submit our demands to the association. No reply was ever received and a few days later the San Juan Mining association was formed.

The mill men under the jurisdiction of the Telluride union were notified to quit work on the 1st of September. They obeyed. The miners were all "laid off" excepting a crew for development work on the Tom Boy and the Smuggler-Union, which continued to operate the mill with the office force and a few scabs, Manager Wells himself donning overalls. A few days later the Federal Labor union ordered out the cooks and waiters on the Smuggler-Union properties. The miners were discharged. The shut down was complete.

The strike had been on some three weeks, when a member of the Socialist Labor party, Philip Veal, was arrested; his place was immediately filled by Frank Jordan, a Socialist, who was also arrested. Arrests followed quick and fast until some six or eight had been made. The defendants were all acquitted or dismissed with the exception of J. C. Barnes, whose case was continued. The Citizen's alliance, with the mine managers as silent sympathizers and assistants, were very active in the prosecution.

The Tom Boy mine had increased and diminished its working crew several times, and always, it seemed, for the purpose of securing men who considered their job first, the union an afterthought. The force had reached nearly a hundred men, there was an immense ore reserve, the bins being filled. If any employe expressed sentiments favorable to the union, he was promptly "sent down the hill." The mill was put in readiness and mill men who were willing to accept the company's terms brought in. Men were to be put to the test. The company had decided on a meeting night to talk over the situation with its employes. The union held a meeting and considered it unwise to permit the company to further discriminate against union men, or to break any more ore for scab mill men to treat. The men on the Tom Boy were ordered out on the 21st of October and every man obeyed the call; and later, when the company desired to start up with scabs under military protection, the foreman and nearly all the shift bosses resigned their positions. It was a decisive victory for the union.

Pickets were now placed at Conn's Japan store. This store is practically surrounded by Tom Boy property. Deputy sheriffs tried every means to provoke a quarrel. One night they had been particularly offensive, throwing several volleys of stones at the store and, when one of the pickets stepped outside, fired a shot and called him vile names. They were going to force a fight. The militia was expected daily. The next day four men were sent "up the hill" to change the pickets headquarters to Conn's Smuggler store, where the deputies could not well disturb them without becoming trespassers. The pack horses were loaded with bedding, etc., and the men were proceeding down the hill, when the deputies began making arrests. They pulled one man off his horse and struck him over the head with a revolver and struck another a vicious blow in the back with a Winchester, though he dropped his gun and threw himself on the ground when he was ordered to surrender. That was a lively time in Telluride. Deputies and Citizens' alliance men were standing on the principle street corners with shot guns and Winchesters ready and expecting to do business. It is also said that each of them carried a revolver. Bulkely Wells came out of the Journal office with a sack of rifles. After all their preparation to commit murder, no excuse was offered them for its commission and they were compelled to glut their vengeance on the prisoners who were arrested that night and the next day. Those at the mine on a charge of trespass and conspiracy, those from the town on the charge of conspiracy alone. The trespass consisted in traveling over a road that had been in constant use for more than twenty years They were finally released under $750 and $1,000 bonds.

For some time preceding these events the Liberty Bell company had been driving a tunnel, one of their machine men quit and a Tom Boy miner who had been discharged on account of his union sentiments, applied for a job. The foreman stated that he wanted a man, asked his name and stated that if he were not on the list he would give him a situation. He did not get the job, and found that no one who had been discharged by the Tom Boy company, or who had obeyed the union call to quit work, was eligible for employment. This was blacklisting with a vengeance. At the next meeting of the union, it was voted to call out all the men on the Liberty Bell mine.

The calling out of the men on the Liberty Bell and Tom Boy mines was bitterly denounced by the mine managers as a violation of the contract entered into November 28, 1901, expiring three years later. From the standpoint of union men, neither an individual nor an organization is under any obligation to commit suicide. In each case there was discrimination against union men that soon must have led to the disruption of the organization and at the Tom Boy there was a further attempt to use union men to defeat the strike by the production of ore for scab mill men. Further the essence of this contract has been violated from its inception by the mine managers. Under the contract the price of board had been raised from 90 cents to $1.00 per day, the only consideration so far as the miners were concerned was the privilege of boarding where they chose. Some men who were exercising that privilege at the Tom Boy mine were notified by the foreman and shift boss, within a month after the contract went into effect that they would have to board at the company's boarding house or quit work.

President St. John protested against this violation. Manager Herron said in reply that all men found it necessary sometimes to make contracts which they knew they could not keep. Violations more or less flagrant were made by all the companies.

About the 1st of October the writer learned that the mine managers were not pledged to refuse an eight hour day, but simply to grant no concessions that would increase the cost of milling. An interview with Manager Herron soon resulted. A few days later we took the same train to Denver and arrived at a fair understanding. The interviews were continued in Denver with the addition of Messrs. Chase and Wells from the mine managers, and Secretary Haywood and Attorney Murphy for the Federation. Good feeling seemed to prevail—the first essential to a lasting settlement. Attorney Murphy and myself for the Federation, and the mine managers with Mr. Atchison as the representative of Mr. Herron, and Mr. Melville, a personal representative of the governor. The mine managers at this time seemed willing to grant more than we had demanded. In broad, general terms eight hours was to constitute a day's work about the mines and mills and $3.00 a minimum wage. Such a settlement would have given Telluride industrial peace for years. Manager Wells, when asked by Mr. Melville if he were willing to pay the same money to three men working eight hours each that he had paid to two men working twelve hours each, replied that it was not to be considered. 'I know that I can't get my old mill men back for less than $3.50 per day.' Later at a meeting of the Citizens' alliance, Mr. Wells stated that if the whole matter was left to himself, Chase and Melville for the mine managers; Miller and Murphy for the miners, the whole thing could be settled in an hour. This on Mr. Melville's authority. It was not to be; the influence of the Citizens' alliance prevailed. No further negotiations were made. A delegation importuned the governor for troops and they were sent.

Almost immediately after the arrival of the troops 38 men were arrested on the charge of vagrancy, nearly all were found guilty and given two days to go to work or leave. Nine were rounded up and commenced a jail sentence of from 12 to 20 days. One of the boys had $140 on his person at the time of his arrest—it did not save him from doing time. Writs of habeas corpus were served in the vagrancy and conspiracy cases. Judge Wardlaw decided that if there were no legal defect in the papers, the commitment was legal and he would not inquire into the evidence. That you have committed no offense is not a defense—if anyone swears you did and makes no mistake in the complaint or service—you will serve your sentence if you are a striker.

On the 23rd of December 18 men, the writer among them, was thrown into jail on a charge of "intent to intimidate." I had been thrown into jail with the "conspirators" for talking to the prisoners from the window of the county judge's office. As I was brought in Sheriff Rutan said, "you must have had your feelings pretty badly hurt," alluding to the damage suits that had been filed against him.. At eight o'clock that night we were brought before Justice Holmes and asked to plead. J. C. Barnes and O. M. Carpenter asked to give bond, $250, the justice was too sleepy to fix the bond. At half past four eleven of the men were called out, Barns and Carpenter among them, taken to the special and thrown into jail at Montrose. When the time for preliminary hearing arrived the prosecuting attorney ordered the cases nolled—though he had sworn out the information. While the men were going to Montrose they were called one at a time—most of them had been arrested for conspiracy—and offered their liberty and assured that all charges would be dismissed if they would not return. None availed themselves of the opportunity. Some were threatened with death if they returned.

The first Sunday night of 1904, witnessed the proclamation of martial law in Telluride; the censorship of the press, telegraph and telephone, and the deportation of 31 men.

The strikers were conducting a literary when a group of soldiers strode into the hall, set down their guns with a bang, the officer in command stepped under the electric light and read the proclamation in a voice trembling with emotion. Why he should have trembled I could not imagine. Was it fear? A large portion of the audience were women and children. Was it a sense of his own importance in the game being played? Or did the ghost of his dead manhood rise up and protest against the brutality of his act?

Among the deported were J. C. Williams, V. P. of the Western Federation, who had been looking after the finances, and Attorney Engley, who had conducted the striker's defense. We were paraded through the streets under military guard, a squad of cavalry occasionally dashing by; drawn up in front of military headquarters and singly taken before his majesty, Major Zeph T. Hill, where we were asked the following questions: "How long have you been here? What is your occupation?"

Thirty-one men, in addition to the seven incumbents, taxed the capacity of the jail, but in the opinion of our generous authorities nothing was too good for a striker, so we took our medicine. The following morning we were given a sandwich and a cup of coffee, after which the militia guarded us to the train, preventing the Citizens' alliance renewing their acquaintance with us; and cutting short the "good byes" of husbands, fathers and sons.

We were given a military escort to Ridgeway, where we were lined upon the sidewalk and informed that we were taken out of San Miguel county because we were not wanted there. (We had guessed as much before, but this made it certain.) If we returned we would be thrown into the bull pen and kept there indefinitely. If we showed any signs of disrespect to the militia we would be immediately re.arrested.

We proceeded to Montrose and established headquarters for the deported men. Other deportations followed, one of which is best described by the Denver Post:

SIBERIAN EXILING SCENES.

"Telluride, Colo., Jan. 15.—Tears, curses maledictions and prayers were heard at the depot this morning when the train pulled out of the station having on board six union miners, who were being deported by the military. The men were given breakfast early, the meal being served from the Sheridan hotel, after which the wife of one of them was reluctantly permitted to visit her husband in jail. At 8 o'clock a bunch of blue coats, under the command of Captain Scholz, marched to the court house and the prisoners were taken to the county jail and formed into line ready for the march to the station. A woman with a small child attempted to fall in line with her husband, but was brutally prevented by the soldiers, who forced her back on the sidewalk. With a face drawn with bitter agony and grief, she endeavored to keep up with the soldiers as they marched down the streets, but the prisoners had reached the train long before she had gone a block.

At the depot the men were immediately put aboard the train and two soldiers stationed at the car windows. The relatives of the men were allowed to talk to them, and for a moment the air was filled with tearful good byes and well wishes. Fifteen minutes before the signal was given to start three women came running down the track. One of them, Mabel Marchinado, a mere girl, hardly 17 years old, weeping bitterly, rushed over the icy platform to the window in which one of the men was sitting, and exclaimed: "Oh, papa, what are they going to do with you?"

"Her father, Tony Marchinado, endeavored to comfort her, but the girl continued sobbing pitifully. The sympathy of the entire crowd at the depot went out to this girl, and some turned away. Then the soldiers ordered her to move on. The girl suddenly ceased weeping and, turning to those standing, and in a voice loud enough for the military to hear, said: "I think it's a living shame for men living in this country to be treated in such a manner." She was not arrested.

The woman with the small child in the meantime reached the depot almost exhausted. She purchased a ticket and boarded the train on which her husband was about to be sent into exile. She cried bitterly and her baby was blue with cold. "I am too sick to work and look after our baby alone and I am going with my husband, if it means the jail," she moaned. If ever volumes of mute sympathy went out from a crowd, it went out to this woman, whose mental and physical sufferings seemed to grow greater as she bent down her head and fondly kissed the lips of her offspring, in a vain endeavor to hush its cries from the biting cold. It was by far the saddest incident yet recorded in the military occupation of Telluride and the subsequent deportation of striking miners."

The deported men were Tony Marchiando, Tony Sartoris, Leuis Sartoris, F. W. Wells, Matt Lingol and Battiste Monchiando.

My story is done, though the strike still continues and men remain in exile because mine managers feel that it will help them to win the strike. Any comment on the methods used would be superfulous. "The end justifies the means," nay, more, it determines the means. When the rights of the many are to be subverted in the interest of a few, a combination of force and fraud is necessary. The combination has been effected and used, whether successful or not, and if so, how long belongs to the future.

To the future I respectfully dedicate the Telluride strike.

Respectfully, GUY E. MILLER,

THE MINE OWNERS MAKE A STATEMENT.

In the 58th Congress, second session, senate document No. 86, the mine owners made, through their secretary and introduced by Senator Scott, of Virginia, what is called a review of the labor troubles in the metalliferous mines of the Rocky Mountain region. The document commences with the following vituperous language:

"During all these years an alleged labor organization, known as the Western Federation of Miners, has been endeavoring with considerable success, to obtain a hold on this particular industry through the unionization of these mines, and the history of this campaign, with its record of murder, arson, dynamiting, and riot, to say nothing of the more petty crimes, such as assaults, intimidation, threats, and personal abuse, all committed for the purpose of intimidating and coercing men engaged in earning a livelihood, is enough to shock humanity.

"No parallel can be found for it in the labor history of the world unless it be in the Molly Maguire organization, which maintained a reign of terror in the Pennsylvania coal fields prior to 1877. During times of comparative peace the career of this organization has been marked by nocturnal assaults and secret assassinations, while now and again they have broken out into open warfare amounting to insurrection. Whenever a mine owner has assumed to stand against their aggressions or to employ as laborers men not members of this organization his life and his property has been the forfeit. Criminal, cruel, untiring, militant, political parties have obeyed their behest, honorable judges have been retired to private life for decisions to them obnoxious, courts have yielded to their mandates, and sheriffs and other peace officers, often selected from their own number, have been their willing agents. When an executive has been found big enough, and brave enough, and patriotic enough to rise above political expediency and take a firm stand in favor of law and order and the preservation of those rights guaranteed by the Constitution, as did Governor Steunenberg, in Idaho, in 1899, and as Governor Peabody is doing in Colorado today, protests such as that embodied in the resolution under consideration have gone up from certain quarters, either inspired by sympathy with the acts and purposes of this organization or with the hope of obtaining some political advantages through them, or, as we trust is the case with the present resolution, by ignorance of the facts which have engendered the condition.

"On account of the macinations and methods of the Western Federation of Miners the metalliferous mining industry of the West has been in a chaotic state for a period of years. That a person was operating his property one day under satisfactory conditions was no guaranty that he would be able to do so the next. To make a contract with the Federation has always been a mere form, for this organization knows nothing of the sanctity of such an obligation. Continual aggressions have been supplemented by open outbreaks of alarming frequency."

A careful perusal of the pages of this work—which is true, and which is carefully compiled and with much labor in ascertaining facts, dates, etc.—will demonstrate to the reader the manner in which an "executive big enough and brave enough to take a firm stand in favor of law and order and the preservation of THOSE RIGHTS GUARANTEED BY THE CONSTITUTION" construes law and order and the constitution. I refer you to the arrest of the Record force, the arrest of Dodsworth, the "nocturnal" visits of the "constition preserving" military to Sherman Parker's home, the arrest of children, the intimidation of courts, the attempted murder of Emil Peterson, the refusal of Chase to abide by the decision of the court, the assault on Mr. Glover, and I might add, the murder of the burro.

As for the charge that "a person was operating his property one day under satisfactory conditions was no guaranty," etc., I refer you to the Portland and the statement of the "biggest and most honest one of them all," Mr. James F. Burns.

"In 1901 the Smuggler-.Union mine, at Telluride, Colorado, became involved in trouble with the Western Federation. The mine was using what is known as the contract system, i. e., the miners were paid according to the amount of ground broken instead of by the day. It was admitted that a man who was willing to do a fair day's work could earn the union scale which means a minimum of $3.00 per day for eight hour's work, but nevertheless the Federation demanded that system discontinued. The management refused to abandon the contract system and the strike followed. Some non-union men were put at work, and on July 3 an armed body of union men attacked the mine, killed and wounded several persons, dislodged the non.union men, and took possession of the property. The non-union men were driven into the hills, and with their wounded were compelled to find their way on foot to places of safety."

To the above I refer you to the "Telluride Strike," by Guy E. Miller.

"So that it will be seen that in all these strikes the Western Federation has not only indulged in coercion, picketing, threats, and intimidation, but has resorted to riot, arson, bloodshed, and general disorder as well, and in all of these localities, in times of outward quiet, assaults, intimidation, and even murder have been committed for the purpose of forcing men into the union. There can be no individual freedom where this organization gains a foothold.

"During the past few months the Cripple Creek district has been the center of the disorders generated by the Western Federation, both because it employs more labor than any other mining camp in the state, and because the Federation looked upon it as one of its strongholds and the best place to strike a decisive blow."

If the above is a fair picture of the construction put upon the strike in the Cripple Creek district, by the Mine Owners' association, I can say, and say truthfully, that their eyes, in looking at the strikers, were covered with gory goggles, while the eyes with which they viewed their own actions, carried out by the misapplied militia of Colorado, could have been located no where else than in the soles of their feet!

Ye Gods! let us recapitulate!

"RIOTS." References: I desire to call the attention of the reader to the fact that eighty-nine men were arraigned before the courts to answer to the charge of riot, many of whom are prominent mine owners of Clear Creek county, Colorado. These eighty-nine men are the "law and order" brigade who made "nocturnal" assaults upon fourteen members of the Western Federation of Miners and drove them from their homes at the point of deadly weapons!

In Telluride Buckley Wells, the manager of the Smuggler-Union mine, after securing five rifles from the office of the Telluride Journal, headed a mob and marched down the streets in company with Meldrum and Runnells, desperadoes, who glory in their criminal records, and who feel flattered in being recognized as the partners of Tom Horn, who was executed in Wyoming for the murder of a little boy!

At Dutch Flat, California, several months ago, three members of the Western Federation of Miners were met by a mob, who, at the instigation of the mine owners, tarred and feathered their victims, solely because they delegated to themselves the right to organize a local union!

Local references: Herding citizens, of all unions, like cattle upon the streets, Sunday, Sept. 20.

Breaking up of the high school dance by drunken militia men, (not SOLDIERS)

Rotten egging the Novelty theater by militia men (not, SOLDIERS) December 29, 1903.

"ARSON!" Local References: The burning of Dennison's (a union man) house on the night of September 2. Incendiary!

Burning of a union man's house in Santa Rita in September. Incendiary!

The incendiary burning of three union men's homes in Cripple Creek in December.

"COERCION!" The forcing of the imported Danes to work at the point of bayonets, early in September!

The forcing of the Record to cease publishing the official statement, December 5. and on!

The forcing of Glover to refrain from being interviewed!

"INTIMIDATION!" The military "capture" of Judge Seeds' court, Sept. 21

The suppression of the Record's editorials, December 5.

The threat to shut off the supply of ore from the Dorcas mill, November.

The arrest of C. G. Kennison while at a funeral, November 22!

Stationing sharpshooters on the National hotel, September 23!

The threats to blow the Record force's heads off, September 30!

The declaration of martial law, December 4!

The enforcement of the "vag" order, January 7!

The threatened arrest of R. E. Croskey, December 5.

"DYNAMITERS!" References: The public might inquire as to who were the most interested in the blowing up of the assay offices in the Cripple Creek district in 1902; where ore thieves, it is said, deposited their high grade.

Who was responsible for the dynamiting of houses of prominent union men who reside at Newcastle, Colorado?

The Western Federation of Miners has been charged with the explosion which occurred at the Vindicator mine, which resulted in the death of two men. The mine, at the time the explosion occurred, was surrounded by the state military and no union man was permitted to come within close proximity to the property. The secret of the explosion could probably be told by the superintendent of the property, and the men who lost their lives on the 600-foot level of the Vindicator.

The Western Federation of Miners was charged with conspiring to blow up the Sun and Moon property at Idaho Springs, and a court and jury have exonorated every member of the organization from that charge.

The Federation has been charged with the blowing up of the Strong mine, in the Cripple Creek district, in 1894, in which mine Senator Scott is largely interested. Two of the members of the Federation were convicted by a judge and jury in Colorado Springs, the city which has won the title of "Little Lunnon" on account of the English aristocrats who have camped under the shadow of Pikes Peak. These two men served but a short time in prison when it became apparent that they were convicted through prejudice, and a Republican governor granted them a pardon. If Senator Scott and the Mine Owners' association of Colorado believed these men were guilty why was it that Samuel Strong, the original owner, was afterwards arrested and charged with the crime, and why was it that such strenuous efforts were made by Senator Scott and the stockholders of the property to convict Mr. Strong of the crime of dynamiting?

"MURDER!" References: In Schofield, Utah, some three or four years ago, nearly 300 miners were killed by an explosion, which resulted on account of the failure of the mine owners to comply with the law governing ventilation!

In May, 1901, a disaster occurred in Fernie, British Columbia, where 137 men lost their lives and a coroner's jury brought in a verdict of culpable negligence against the company, and this "MURDEROUS" organization, the Western Federation of Miners, immediately sent a representative with $3,000 for the relief of the widows and orphans. Before the bodies were removed from the mine, Manager Tonkin reduced the wages of those who survived this blood-curdling disaster!

Within the past ten months there have been two explosions in coal mines which cost 528 men their lives—338 in Wyoming and 190 near Pittsburg.

In Park City, Utah, at the Daly-West mine, thirty-five miners were killed by an explosion of giant powder, that was stored in the mine by the company contrary to law and to every safeguard which common sense should suggest!

In November, 1901, twenty-two miners lost their lives by being suffocated on account of a fire which destroyed a boarding house that was connected with the tunnel of the Smuggler-Union mine, a property that was then under the management of Arthur Collins. (See Telluride strike) The law had not been complied with, for the doors of the tunnel were not so adjusted as to prevent the flames and smoke from entering the mine!

Fifteen men were hurled to eternity at the Independence mine, in the Cripple Creek district, through defective machinery, and an incompetent engineer who was imported by the Mine Owner's association as a strike breaker, and in whose ignorant keeping, for mercenary reasons, was placed the lives of all the four or five hundred men in the mine. Scarcely had the Associated Press sent out the report of the horrible calamity, when the Mine Owners' association, together with Bell and Peabody, intimated that a crime had been committed and that the Western Federation of Miners was probably responsible. I refer you to the coroner's verdict in "The Independence Horror."

Again let us recapitulate: In Scofield 300; Wyoming 338; Pittsburg 190; Park City 35; Telluride 22; the Independence 15. Total, 1,087! Nor is this even a beginning! Let us again recapitulate: Charged to the Western Federation, backed by Coroner or jury, 0!

"Accidents" charged to the Mine Owners, backed by the dead and by jury's verdicts, 1,087! O, sweet charity! draw the veil!

If the members of the Western Federation of Miners are men with criminal records, why has ther membership been permitted to register their names upon the rolls of the various fraternal organizations, such as the

Masons, Knights of Pythias, Red Men, Woodmen, Maccabees, Yeomen, Elks, A. O. U. W., United Workmen, Odd Fellows, etc., and how was it that Sherman Bell, adjutant general of the state, was proud to accompany the drill team of the Knights of Pythias of the Cripple Creek district, which won the world's prize at the encampment at San Francisco, and who were nearly all members of the Western Federation of Miners? Why was it, if the members of the Federation were criminals and law breakers, that the mine operators have frequently declared that the miners of the great gold camp were the best in the world, and why have they made such strenuous efforts to influence these "CRIMINALS" to return to work? Search the records of every penitentiary located within the jurisdiction covered by the Western Federation of Miners, and you will find no member of the organization behind the walls of a prison, and you will find no man serving a sentence on account of his affiliation with the Federation or on account of his connection with any strike. The Mine Owners' document charges the Federation with "murder, arson, dynamiting and riot."

It would seem unnatural, nay, a brutal state of public conscience that these mining accidents—let us call them accidents—can go on regularly and not excite an indignation that would remedy this state of affairs.

Let a girl or a young woman be murdered under suspicious circumstances and the blood hounds of the law and the vigilantes of the press pursue the matter to the last extremity. Column after column is used, the whole matter illustrated for weeks, but let a score of workmen meet their death, through some unlawful act of their employers and after a little squib oblivion is reached in the matter.

No man is allowed to practice law or administer medicine unless he is declared competent by a proper tribunal. This is done to protect the lives and property of the people from incompetent persons. Why should not the same rule apply to mining? If the law can protect people from quacks and pettifoggers, why should not the mine workers be protected from the ignorance of their fellows? It is true that a pick may strike a pocket of gas and cause a disaster, but nevertheless no man should be permitted to enter a mine until he had shown that he was not a constant menace to life and property because he knew nothing of the perils which lurk in a mine. They tell us these men are overpaid. That their demand for decent wage and safe conditions imperil the prosperity of the country!

Merciful God! The prosperity that demands a constant repetition of these horrors is not fit to survive an hour!"

EXECUTIVE BOARD, WESTERN FEDERATION OF MINERS.—Left to right: D. C. Copley; G. C. Williams, Vice-President; Chas. H. Moyer, President; Wm. D. Haywood, Secretary.Treasurer; L. J. Simpkins, Front row. J. T. Lewis; J. P. Murphy; James A. Baker; T. J. McKean, Back row.

A BRIEF SUMMARY OF "LAW AND ORDER" NECESSITIES AS YET UNCHRONICLED IN THESE PAGES.

CITIZENS' ALLIANCE BOYCOTT.—The Citizens' Alliance held a weekly meeting in the Alliance hall on the night of December 8, pursuant to a signed call by the secretary, L. F. Parsons. An astonishing feature of the call was the concluding paragraph which read word for word as follows: "We herewith inclose you a list of the firms that do not belong to the alliance. YOU CAN GOVERN YOURSELVES ACCORDINGLY." Then followed a list of seventy business firms of Cripple Creek. By reference to the constitution and by.laws of that organization the inconsistency of the alliance becomes apparent at once. Article II reads as follows: "Section 1. The objects of the alliance are: 1. To promote the stability of business and the steady employment of labor, whether organized or unorganized, by encouraging friendly relations between employers and employes; and to discourage lockouts, strikes and BOYCOTTS and all kindred movements which savor of persecution."

In the first part of this work in recording the forming of a Citizens' alliance in Cripple Creek, I said be it recorded to the credit of Victor's merchants that the alliance proposition was turned down. I am now compelled to record that at about this date (they were not proud of the institution and did not publish their organization) a few of Victor's merchants were led into the erronous belief that it was a good thing to divide their business and lose the steady union trade they had been enjoying and hustle for the non-union trade. They succeeded in losing the union trade, all right, but as for their getting the non.union trade—well, indications are that the non-union workers scatter their trade and the merchants that would not be forced into the alliance secure the greater percent of both union and non-union customers.

RECKLESS SHOOTING.—December 21 all citizens of Cripple creek were frightened by volley after volley being fired at the corner of Second and Carr. It was claimed that the shots were fired by the military and it is said it was done for the purpose of creating excitement and a cause for being here.

BROKE UP UNION MEETING.—December 19 a squad of soldiers under McClelland and Hoag demanded entrance to a meeting of No. 32. They arrested James Baker. (No charge or warrant.)

SEARCH THE TRAINS.—December 19 Capt. Gail Hoag in charge of a detachment of troops, guarded the Short Line depot and searched the Short Line train on its arrival from Denver for President Moyer and Secretary Haywood of the Western Federation, with the intention of arresting them in the event they came to the district. The soldiers also searched all trains that entered Cameron.

ARREST PORTLAND REPRESENTATIVE.—Mr. Charles Reimer, special representative of the Portland Mining company, was arrested January 6 by the military at the instigation of Scott and Sterling, local railroad sleuths.

ARREST ORGANIZER WHITE.—Mr. M. E. White, of the executive board of the American Labor Union, arrived in the district from Denver Dec. 23. Mr. White has complete jurisdiction in Colorado and has devoted the past thirteen years to the advancement of organized labor in this state. He had hardly arrived when he was "military necessitated," lay in the bull pen two days, "verminized," escorted to the train, told that no organizing of unions goes in the C. C. district and told to "never come back." (No charge.)

ROBBERY BY SOLDIERS.—A daring robbery occurred on Meyers avenue, Cripple Creek, on Dec. 14. James H. Smith, of Denver was the victim, and his assailants were Frank Boyle and a Mexican known as Jose, both members of company H of Cripple Creek. These two "law preservers" tried to "dope" Smith in a low resort, but failed, as he was suspicious and hurried from the place. He had not proceeded far when he was overtaken by the "soldiers" who held him up and forced him to turn over his valuables, consisting of $40 in cash and a certified check on a Denver bank for $300. The bluecoated highwaymen successfully eluded capture.

NASTY GUN PLAY.—December 4 Patrick Mullaney was the maddest Irishman this side of Dublin. Mullaney has no love for the militia. He had long been in durance vile for no other offense than refusing to salute and kotow to passing bluecoats. He had just been released and when interviewd he stated that shortly prior to leaving camp for Cripple Creek, on the 3rd, an attempt was made by the soldiers on guard to create a fight with the prisoners. The bluecoats presistently taunted and intimidated the bull penners threatening to shoot them without provocation. The sergeant of the guard leveled his gun at Mullaney and told him to close a window through which he was peering or he would "let daylight through him." At this juncture, Mullaney alleges, a superior officer came along and warned the guards not to get too close to the prisoners, as they were a desperate lot and might take the guns away from the captors. No charges of any nature have ever been preferred against Mullaney, yet he was twice taken prisoner and treated to the most inhuman treatment by the "constitution preservers."

A. G. PAUL "NECESSITATED."—Dec. 10 A. G. Paul, secretary of No. 40, was transferred to temporary quarters in the county jail by "military necessity." Paul was guilty of the henious crime of being secretary of a union. Such being the case, he had to be placed n the safety deposit vaults for "safe keeping" and the "preservation of the constitution."

JUSTICE COURTS PUT OUT.—Dec. 4 "military necessity" demanded the closing of justice courts, so Justice Harrington and Justice Patrick "necessarily" closed up. On the 5th, however, Col. Verdeckberg called up Justice Harrington by 'phone and informed him that he could resume business, but admonished him to confine his judicial actions to civil and minor criminal cases. Criminal cases of any gravity must be turned over to the military. And the judge hung out his permit to do business as a justice. "This court is now open for business. C. S. HARRINGTON, J. P."

In Justice Patrick's court the following sign greeted the eyes of all inquisitive visitors: "This Court is out of Business. By order of the Gov."

MILITARY BREAK UP DANCE.—New Year's night, while the young people of the P. W. C. club were enjoying a social club dance, several "law and order" preserving militiamen with six-shooters strapped on their hips and accompanied by a couple of Casino women named May and Trixie, made their appearance at the entrance and demanded admission and that the women be allowed to dance. The request being refused, they stated that they would break up the dance, and they did. The music was stopped and the dancers left the hall, where the intention was to dance until 3 o'clock. But rather than allow the music to continue and be forced to witness the soldiers and their two well known companions on the floor, the original dancers decided that they had had enough dancing and went home. "Military necessity" being in operation, of course Peabody's "constitution preservers" received no punishment for this brave defense of the constitution.

MILITARY STEALS WATER.—January 1 the military came to the conclusion that it was easier to steal water than buy it, so they "necessitated" six or eight million gallons from reservoir No. 8, from which Colorado Springs is supplied. A squad of cavalry and infantry went to the reservoir, locked up the watchman and turned on the water. Colorado Springs was horrified and very indignant, but then a little thing like eight million gallons of water is nothing when compared to "military necessity."

D. C. COPLEY "NECESSITATED."—On Dec. 12, D. C. Copley, member of the executive board of the W. F. M., going to his home in Independence from Denver, after an absence of weeks, and while eating a lunch which his wife had prepared for him at 1:30 a. m. the door was broken open, the military entered, and, without explanation or charge, dragged him away to the bull pen. In this crowded den he was thrust to keep company with drunken militiamen. Here he spent the night blistered on one side by the red hot stove and frozen on the other by the raw mountain wind. In the morning each inmate stripped stark naked, and, going to the red hot stove, raked the lice off their tortured bodies. Later they were marched out in the cold and given a scanty breakfast. Mr. Copley was kept in the bull pen for twenty-four hours and then told to get out of town and "never come back."

SOLDIERS EGG AN ACTOR.—Dec. 29 a gang of a dozen or more militiamen gathered around the entrance of the Novelty theater just before the 8 o'clock evening performance, begging the door keeper to let them in free of charge, and making themselves so generally obnoxious that they were forcing the patrons of the theater to turn away from the entrance. Manager Smith courteously invited the whole crowd to come in and witness the performance free. They all went in, and with them went numerous eggs of maturity and many in the stage of second childhood. An Irish comedian by the name of Baker had been cracking jokes, one of which ridiculed Peabody or Bell, and when he appeared the "rookies" began pelting him with the eggs of ancient pedigree, spoiling the scenery and demoralizing the performance. The military authorities failed to punish any of the contemptible perpetrators of the outrage. Doubtless it was a military "necessity" for disposing of rations.

FIVE MEN DEPORTED.—Jan. 16 five bull penners, namely John Keish, F. E. Sargent, T. D. Thomas, Charley Jones and Whitey Wilson, were escorted by Major McClelland and a squad of "rebellion suppressers" down Canon road. About a mile beyond the first toll the parade stopped and the men were told to alight. Then Major McClelland took occasion to inform them that they were at liberty, but not to return to Victor. "Now go, and never return to Victor." But the cat came back, five of him, in fact.

M. W. SHELLEY REFUSES TO MOVE.—Jan. 4 Jovial Mike Shelley was notified that the atmosphere his body displaced was essential to the preservation of the "constitution" of Colorado and to "hie away to denser air." Shelley's health requires rarified ozone and he decided to consult his own inclinations and welfare and remain near the pearly gates located slightly above Victor; so when the military were resting from their labors, feeling secure in the fact that a man "answering the description of Mike Shelley in every particular" had been seen in the neighborhood of Skagway and had inquired the way to the nearest route to the F. & C. C., the cause of their serenity still enjoyed Victor weather and the society of his many Victor friends although in a different rooming house.

COURTEOUS TREATMENT OF A LADY.—Sunday, January 17, a squad of militiamen under command of Lieutenant Gunn, surrounded the home of Mrs. Mart Morrison and demanded entrance. Mrs. Morrison was alone and opened the door. They entered and searched her home. The lieutenant began questioning Mrs. Morrison in a "military necessity" tone of voice and finally he and one of the "constitution preservers" seized her and dragged her from the house, in doing co tearing the sleeve from her waist. With oaths and villification she was forced to walk from Independence to Victor over rough granite roads with her clothing in the torn condition. She was placed in the custody of Officer Printy and charged with "disturbing their peace!" To the credit of Col. Verdeckberg be it said that he immediately released the lady but of course the "constitution must be preserved" and the perpetrators of the outrage are immune by reason of "military necessity."

THE INDEPENDENCE HORROR.

A horrible accident occurred at the Strattons Independence mine at 2:35 a. m., Jan 26. Through carelessness, it is said, Engineer Gellese lost control of the engine and the cage loaded with sixteen men run into the sheave wheel with tremendous force and hurled fifteen of the passengers into eternity. The fifteen men had no warning of the approaching danger and were hurled to their death almost instantly. The victims were mostly men of family, and a majority of them were new men in the district. Early in the morning hundreds of people rushed to the mine to ascertain if their relatives were among the victims. There was little information obtainable for some time as the military were hastened immediately to the scene and took complete control, not even allowing press representatives near enough to gain facts. As near as the writer could learn particulars they are as follows:

Frank T. Gellese, engineer from Cour D'Alene, was on duty during the night and had experienced no difficulty with his engine, he stated, and at 2:30 he started to hoist the machine men from the sixth, seventh and eighth levels. Sixteen men were loaded on the cage and started for the top. At the seventh level the men noticed that the cage was acting peculiar, and it appeared as if the engineer had lost control of it as it advanced in an unsteady manner. They soon reached the top and were hoisted about six feet above the collar of the shaft and suddenly lowered about thirty feet, then up they went to the sheave wheel and the disasterous accident was the result.

It is believed that the men were thrown against the top of the cage from the force of the sudden stop so hard that they were knocked unconscious and knew but little, if anything, after that took place; that in the drop of the cage the speed was so rapid that through the forbe of the air pressure they were thrown out against the walls of the shaft, which caused them to be literally torn to pieces. When the cage struck the sheave wheel it not only threw Bullock (the only one saved) out, but also threw out a man by the name of Jackson and killed him.

No one aside from the engineer saw the accident. A miner stepped into the shaft house just after the accident and saw a number of hats lying around. He then looked up and saw Jackson in the timbers with the sheave wheel on top of him.

The military and Manager Cornish were immediately notified and hastened to the mine. Engineer Gellese was arrested and held for investigation.

The remainder of the force, numbering about 200 men in the mine, were obliged to be taken out on a small cage that would accomodate but two men at a time, and they did not all succeed in getting out until about 6 a. m.

Most of the men killed fell to the sump below and it was twenty-four hours before all the bodies could be found. There were portions of them found from the top to the 1,400 foot level. The bodies were almost all beyond recognition, heads, legs and arms being torn from the trunks. It was a gruesome sight.

Engineer's Union No. 80, as did other unions, offered their services to render all the assistance possible until the bodies could be brought to the surface. Coroner Doran made all possible haste to find the bodies. He ordered the machinery left untouched until he could have the conditions thoroughly investigated.

The victims of the horror were Joseph Smitherum, John Sebeck, W. R. Fraser, Claude C. Staten, Edward Twiggs, L. A. Wagner, Harry Yeoman, Edward Smith, Joseph Obrey, H. S. Brown, W. B. Collins, J. L. Seward, Frank Cochran, L. T. Jackson, Harry Cogeen.

The coroner's jury consisted of six men beyond reproach. After a thorough investigation and the examination of many witnesses the following verdict was rendered:

"We, the jury, find that the above men came to their deaths at Stratton's Independence mine, January 26, 1904, by the engineer, Francis T. Gillese, losing control of the engine there in use, and pulling the cage into the sheave, thereby parting the cable and precipitating the cage, loaded with the above named men, down the shaft to their deaths.

"And we further find that if the management had not neglected the usual necessary precautions, the said casualties might have been reduced, if not avoided. The usual precautions referred to, which were not taken, are as follows:

"First—No man is required to preside at the collar of the shaft while hoisting men.

"Second—No safety device was in use on the cable to prevent the overwinding of the same.

"Third—Men were loaded and unloaded without placing the cage upon the chairs.

"Fourth—The disc brakes of the hoisting engine were detached from their usual positions and were useless.

"We, the jury would recommend that all safety appliances and the precautions herein named and recommended be adopted and used, not only by the Stratton's Independence mine, but all the mines in the district, not now using the same, thereby reducing to a minimum the damage to life and limb that men working in mines are subjected to.

"We further recommend that a competent extra man should stand near the engineer while he is hoisting or lowering men, whose duty should be to render assistance needed. (Signed)

"THOMAS M. HAMILL, Foreman, FRANK AKINS, Clerk.
"JOHN HORGAN, T. S. LELAND,
"R. W. REED, J. L. TOPPING"

There were several sensational features of the inquest. State Commissioner of Mines Lyman H. White, made a statement for publication in the mine owners' papers in which he cast reflections upon the coroner's jury selected by Coroner James Doran, then attempted to repudiate his action when giving his testimony. The whole affair was given to the press of the state for publication and Mr. White was given a grand expose. There was also an attempt made by a man in the employ of the Independence to influence the jury. He made the proposition to Rev. T. S. Leland, of the M. E. church of Victor, a man who has the honor and respect of everyone who meets him. It is needless to say that the attempt was exposed and also denounced. In the Cripple Creek district could not have been found six men more thoroughly conscientious and responsible than the six aforesaid comprising the coroner's jury.

THE WRITER RECEIVES A PLEASANT SURPRISE.

On the evening of February 19, the writer, while busily engaged in compiling these pages, received the most pleasant and appreciated surprise of her life. About 8 o'clock in the evening, in response to a ring at the door, a party of about forty of my friends filed into the house all loaded with the necessaries for a splendid spread. By the time I had recovered they owned the house and had proceeded to entertain themselves. I did the best I could, but my friends were the entertainers, not I. For three hours I was in ignorance of the occasion and was only apprised of it after a splendid banquet which they had brought with them. Then it was that Dr. Hopkins, as master of ceremonies, informed me that the meaning of the unceremonious raid was in appreciation of an act that I had performed and for which I was entitled to much credit, and that they were here to deliver to me the testimony of appreciation of the residents of the district. Such talk from my old tried and true friend was very pleasant to hear, and as he continued I thought of the pleasure of having friends such as these. Dr. Hopkins introduced Mr. Frank P. Mannix, our county clerk, who, he said, would further enlighten me. I quote Mr. Mannix, who I know as a member of my own union and a strong, firm and conscientious worker in the interest of right and justice; not because of the praise he bestowed upon me, but because of the deep, manly and American spirit of justice he so fearlessly expounds in his honorable resentment of oppression by military despotism. Mr. Mannix spoke as follows:

"Mrs. Langdon:—An incident occurred during the 'late unpleasantness' in which you played an important part and which deserves commemoration. I use the term 'late unpleasantness' to designate a page in the history of the Cripple Creek district which has been blotted and besmeared by Governor Peabody's martial outlawry; a period in which more crimes, under the guise of law, were committed against the peace of the public and the rights of the individual, than the history of American communities records. I say 'late' because we are told by the governor that the 'war' is over; that 'law and order' has been restored. In this the governor reminds me of the woodpecker that Lincoln told about. The bird was plying his usual vocation on the main body of a big tree. He was pecking and pecking away when the wind blew down the tree. The woodpecker always believed that he pecked the tree to the ground. But let's not talk about the governor. When we can't say anything good about a person, as in this case, it is better not to say anything. For my part, I am willing to wait until next November—when Governor Peabody will be tried before the bar of public opinion—for a correct estimate of his merits and demerits as a public servant. If the verdict shall be 'well done,' then I will have to confess that a residence of twenty-three years in Colorado has not familiarized me with the true sentiment of the people of this state.

"On the night of September 29, 1903, after the military had invaded the Victor Daily Record office and taken to the bull pen almost the entire editorial and mechanical force, for the plain purpose of preventing the printing of the paper which was friendly to the striking miners and opposed to Peabody's brand of legalized outlaws, you stepped into the breach and set the type, causing the Record to come out as usual the next morning.

"Thus the diabolical attempt to smother the press was thwarted—and by a physically frail woman.

"Of course, the principle actor in the tragedy which is being played on the industrial stage is man. But woman's influence over man, for good or for evil, is great, and the outcome of the struggle between man and mammon depends largely upon the efforts of the fair creatures.

"While history records some notable exceptions, as in the case of Jezebel, whose wicked advice caused her king husband's death and her own, the influence of woman is usually on the side of God, justice and decency.

"All that is admirable in the character of Henry VI was the reflection of his good wife, Margaret; Justinian, the Roman emperor, confessed that most of his wise laws were inspired by Theodora; Andrew Jackson, warrior and president, received his chief reinforcement from his plain and unassuming wife; Washington, who burst the shackles which bound this country in foreign vassalage, himself wore a chain around his neck from which was suspended a miniature likeness of her who, whether in the snow drifts of

Valley Forge or in the presidential chair, was Washington's chief inspiration.

"Mrs. Langdon, a few of your friends have gathered here this evening to assure you that your influence is being exerted in the right direction.

"The pluck and ability you displayed on the night in question, in getting out the paper after your husband and the rest of the force had been marched to the bull pen, and in the face of the despotic military edict that the paper MUST NOT BE PRINTED, have not been without influence in the local struggle, and I believe your work will have a national scope.

"You are a heroine, though doubtless it was from a sense of plain duty rather than from any thought of achieving glory, that you acted.

"While recognizing your modesty in this matter, we desire to consider your conduct as of the heroic kind. Therefore, a few friends, representing the entire community, it might be said, have gathered here for the purpose of formally expressing their respect, gratitude and appreciation in the form of a gold medal, suitably inscribed, on the face being 'Mrs. Emma F. Langdon. For bravery in defeating military suppression of the press, Sept. 29, 1903.' and on the reverse being 'From friends of the Cripple Creek district, Feb. 19, 1904;' which I have the honor of now presenting to you. May you wear it with as much pleasure as your friends feel in presenting it to you."

To say that I was pleased, surprised and proud does not express my feelings. I was dazed. I replied as best I could, but speech fails to express the pleasure I felt in the knowledge that in the medal presented lies testmony of true friendship that no wealth can buy, no misfortune turn aside nor tongue of envy tarnish.

In these pages I wish to thank my friend Mrs. S. D. Hopkins for her unselfish labors and her pure friendship as chairman of the committee in preparihg a surprise the result of which I prize beyond the power of wealth.

PERSECUTIONS OF SHERMAN PARKER, W. F. DAVIS, C. G. KENNISON AND THOMAS FOSTER.

Throughout the pages of this work is chronicled the various illegal arrests and brutal treatment of these honest, law-abiding, patriotic, strong and firm AMERICAN CITIZENS, but a brief resume before the trial at which they were all completely vindicated is not out of place. In the case of Parker, which is very similar to that of Davis, Kennison and Foster, all innocent of any crime or intention of crime—he was first arrested at 12:30 at night, Sept. 11, by militia, without charge or warrant or any process of law; dragged from his bed at the dead hour of night, thrown into a filthy tent, fed on nauseating viands, insulted by negro cooks, called murderer, dynamiter, rioter, anarchist, traitor and coward! He was, with the others released Sept. 24 by writ of habeas corpus from Judge Seeds' court under an aggregate bond of $20,500. Fourteen days incarcerated amid the vilest

W. F. DAVIS, SHERMAN PARKER, C. G. KENNISON. EXECUTIVE COMMITTEE DISTRICT UNION NO. 1.

surroundings, subjected to insult and degradation that would shame a sultan as a novice in torture—and for what? For being an AMERICAN CITIZEN! a believer in the principles of our forefathers, a supporter of the constitution of the state and the UNITED STATES! During his bonded freedom the victim of continued military oppression, hounded by the sleuths of the Mine Owners' association, arrested whenever seen by the military, declared to have forfeited his bond, continually dodging the hell hounds of Bell, Peabody and the Mine Owners' association, regardless of the guaranty of his bond. Again arrested November 22, without warrant or charge, confined in the bull pen, subjected to the same indignities for fourteen days more! Delivered to the sheriff Dec. 2 on capias charging him with the

THOMAS FOSTER.

blowing up of the Vindicator, held in the county jail until January 14, the victim of vituperation unmentionable by the press absolutely controlled by the interests of his persecutors, the Mine Owners' association, aided and abetted by that deadliest foe to AMERICAN INDEPENDENCE, a prejudiced governor and the Citizens' alliance! Released Jan. 14 under $19,000 bonds, charged with pulling railroad spikes to wreck a train and destroy hundreds of human lives, many of his own union brothers! Was free just twenty seconds; arrested by the military on the court house steps without warrant or charge, taken back to the bull pen, repetition of the same and even MORE indignities and torture! Held a military prisoner without bail until January 20! Then brought to Cripple Creek and released from Justice Harrington's court under $1,500 additional bond! Dodged the militia, who were on hand to arrest him, escaped to his home, kissed his wife and caught the first train to Denver. Was arrested in Denver as he stepped from the train by a sleuth under military orders, was released by Chief Armstrong, who informed Bell that "military warrants didn't go in Denver." Arrested Jan. 22 in Denver, charged with "harboring 'Slim' Campbell." (Campbell murdered a dance hall girl in Cripple Creek Oct. 2) Was brought back to Cripple Creek, dodged the military in order that he could get into the justice court to be tried, was dismissed from Justice Harrington's court because Attorneys Crump and Temple (who made the charges) did not appear to prosecute! Was immediately rearrested by the military, taken to the bull pen and held until Feb. 3, when he was again released under an accumulated bond of $28,000 and charged with almost every crime or breach of peace committed in the Cripple Creek district since the inception of the strike or, for that matter, since the district first became a gold camp!

Foster, Davis, Steve Adams and Kennison underwent similar persecutions: were tortured in the bull pen, released on bond, rearrested, confined in jail, released by habeas corpus, charged with train wrecking, charged with murder, and finally held for trial for their life and liberty for crimes of which they were innocent, crimes which their persecutors KNEW they were innocent of, crimes conjured and planned by hired sleuths to railroad them to the penitentiary, crimes that only existed in the fetid minds of men of many aliases, self-confessed criminals, who would do murder to hundreds for a few paltry dollars; men who, like bustard carrion crows, live and thrive in filth and decay, and who, to fill their greedy craws in their banquet of putridity, would make of society complete debauchery; of honor a childish story; of justice a hollow mockery, and of truth a living lie!

And why this vicious persecution? To satisfy justice? No! To do honor to our laws? No! To mete out punishment for crime? No! But to crush out the true spirit of the manhood of the west; the spirit of freedom and liberty inherited from our forefathers, inherited from the exterminators of King George's Tories; the spirit of our constitution framers; that spirit of opposition to oppression which created a nation at whose voice the world trembles and whose basic principle is JUSTICE, LIBERTY, FREEDOM and HONOR! And by who? By these scullion sleuths? No! By the cringing, cowardly, perjured witnesses? No! By the deluded non-union men who fail to see that their employers laugh at their claims of freedom? No! a thousand times no! By the former union men who have broken their oath, betrayed their manhood, lied to themselves, their God and their fellow man? No! Then who are the instigators of these wicked, vile and unjust persecutions? I, a frail woman from the south, a woman who has seen in the last six months attrocities perpetrated in the name of law and the constitution that make me shudder when I gaze upon our glorious flag and think of the crimes against manhood and honor committed in its name and beneath its sheltering folds! I will tell you. The Mine Owners' association—aided and abetted by a military crazed political accident in the mis-occupied governor's chair, ably assisted by a frenzied, ambitious adjutant general and applauded, eulogized an endorsed by a slave producing and serf creating Citizens' alliance! Yes, this association of millionaires, and their kowtowing lackeys have created unto themselves a court of aristocracy to which a comparrison with the debauched court of Louis XIV would insult the history of France! Not satisfied with untold wealth, dug from the bowels of the earth by the brave brawny arms of organized labor, they would crush, mutilate and destroy the very brawn that created their affluence!

But I, a woman from the south, will make the prophecy that from the ashes of the fire of the tribulations of these heroes, aye, MARTYRS: Parker, Davis, Kennison, Foster, Adams, deported miners, imprisoned Record force, military oppressed patriots all, in the Cripple Creek district and Telluride, will rise a Phoenix of UNITED labor, brain and brawn, that will destroy this military oligarchy and cause the glorious emblem of red, white and blue to once more proudly wave "o'er the land of the free and the home of the brave."

DISTRICT UNION LEADERS ON TRIAL.

Friday morning, Feb. 19, was the day set for the trial of Parker, Davis and Foster, charged with train wrecking, conspiracy, murder, in fact the writer cannot keep track of what they were not charged with, but suffice it to say that there was no crime committed or alleged to have been committed in the district, but what every effort was made by the mine owners and their agents to saddle it on these innocent men.

The court room was crowded with interested spectators and the trial was attended by crowds until its completion. Attorneys Crump and Temple were for the prosecution and Attorneys Hawkins and Hangs for the defense. The main witnesses for the "persecution" were Chas. McKinney, D. C. Scott, Sleuth Sterling, Gleason, Mrs. McKinney and a fellow named Beckman and his wife. Witnesses for the defense were over forty in number, inclusive of the defendants. McKinney, the star witness for the "persecution," was claimed to have turned states evidence. He is not and the records show that he has never been a member of the Western Federation, but when he was arrested the Federation rendered him every assistance in its power, because they thought him innocent of the crime for which he was arrested, and in charity tried to shield him from persecution! The writer believes that McKinney was not in the scheme and that he did not help the sleuths pull the spikes, but was induced to make false testimony in the hope of reward and like the traditional viper, turned his poison on those who had warmed and fed him! That he became entangled with Scott and Sterling and for a paltry money consideration, entered into the plot to send innocent men to the penitentiary AFTER the alleged "attempt" at train wrecking.

McKinney's record is alleged to be a cattle thief in Kansas and Nebraska, run out of Utah for horse stealing, the blood of one man on his hands, a traveler under God knows how many aliases, a self-confessed perjurer, a self-confessed maker of false affidavits, a conscienceless liar and a self-confessed thief! As a witness he proved himself a monster, utterly without conscience, and was shown up to public view as a human weakling, a mental and moral degenerate. He is more to be pitied than censured, for it is utterly impossible for this miserable, trembling creature to tell an intelligent lie, and he is apparently irresponsible for his speech and actions. His only hope of escape from the penitentiary seems to be in the promises of Sleuths Scott and Sterling, who are alleged to have promised him a pardon through the influence of the Mine Owners association with Governor Peabody and $1,000 in cash for trying to swear away the liberty and manhood of the union leaders! Poor, miserable McKinney, whose oaths would make him contaminating company to the society of the penitentiary and who by suicide could only partially oblige humanity for his retirement to oblivion!

McKinney's testimony drew Sleuths Scott, Sterling and Beckman, (all star witnesses in the "persecution") into the meshes and showed them up to appear as arch conspirators in a premeditated attempt to railroad innocent men to the penitentiary! He testified that he and Beckman attempted to wreck the train, and that Beckman advised administering poison to the "scabs" thereby suggesting wholesale murder! Attorneys Hangs, Richardson & Hawkins demanded the arrest of Beckman as a conspirator and protested to Henry Trowbridge and J. C. Cole, district attorney and his deputy: "We protest against the partiality shown in this case and demand that you do your duty at once."

On Tuesday, Feb. 23, Chas Beckman testified in the "persecution" as star witness No. 2 in the most contemptible plot that blackens the history of Colorado. Beckman succeeded in convincing all who heard him that he "is the most despicable and contemptible specimen of humanity—a sneaking, cowardly spy, a traitor, a betrayer of his oath, a wanton liar and a mercenary criminal with instincts that would cause a yellow cur to commit suicide from appreciation of his own debasement." He admitted his participation in the dastardly attempt to precipitate a loaded passenger train down a 300 foot embankment! That he joined the Western Federation of Miners to become a spy in that organization! That his testimony was paid for by the Thiel sleuth agency! He admitted nearly every detail of the dastardly plot entered into with McKinney and showed his contemptible cowardice by attempting to throw the responsibility upon his miserable partner in crime!

The only deduction that can reasonably be made from Beckman's testimony is that he is a natural born crook and scoundrel who plies his vocation under the guise of a detective, and in his profession of spy and sleuth, is not even respected by members of that fraternity, owing to his prostitution of his questionable trade to the filthy channels of divorce business—putting up dirty jobs to sever martial relations and breaking up happy homes! Verily the noose is already tightening about his miserable neck."

On Feb. 24 Beckman implicated Sleuth Sterling as connected with the plot, stating that he had prearranged signals with Sterling whereby he could watch himself and McKinney pull the spikes in the hellish scheme to send martyrs to the penitentiary!

Mrs. McKinney, star witness No. 3 in the "persecution," assisted very materially in exposing the nauseating plot. Her face was alternately suffused with blushes and blanched to marble whiteness as her relations with the sleuths were uncovered. She proved a more artful liar than her miserable poltroon husband, yet she was forced to acknowledge the wanton falsity of her statements, and when cornered she simply admitted that she lied, and with every such confession her eyelids drooped with shame. She admitted that Sleuth Sterling had "kept" her, paid her expenses, bought her meals, slept in adjoining rooms, swore that her husband gave her no money, and when cornered as to where she got the money to pay for $4.00 meals for herself and Sterling, swore her husband gave it to her! But she is a woman, and in charity I say no more of her—suffice it that when the ordeal of cross-examination was finished she left the court room with shame flushed face and downcast eyes, closely followed by Sleuth Scott.

On the 25th Sleuth Sterling was placed on the stand and proved himself skillful in refraining from incriminating himself by adroitly fixing the responsibility for dirty detective work on Sleuth Beckman. He tried hard to shield Mrs. McKinney, but did not spare her husband. His evidence was clearly presented and conflicted but little in a few details.

Sleuth Scott was called to the stand and sorely disappointed the "persecution." His direct testimony showed a careful and studied comparrison with Sterling's, but on the cross-examination he became sadly mixed. He admitted that he lied to Sheriff Robertson, to Judge Seeds, to President Jesse Waters and to many others. Sleuth Scott left the witness box a self-confessed liar.

Hard words, these, but true. The testimony of these self-confessed conspirators and apparently unprincipled sleuths and their accomplices was intended by the "law and order" "persecutors" to send to the penitentiary honest men, known by them to be INNOCENT!

But now came a sensation and a bombshell to the "persecution"—the testimony of an honest man! W. W. Rush, who was at the throttle of the "ill fated" train the night of the "wreck." Under cross-examination the nervy engineer fatally contradicted stories sworn to by Sleuth Scott and startled court and spectators by declaring that Scott had approached him some time BEFORE the "attempted wreck" and told him that it would be "pulled off." Scott further asked Mr. Rush where he considered the best location for a wreck. Rush answered that the overhead bridge would be the most dangerous place. The "attempt" was later made at the IDENTICAL PLACE SUGGESTED BY RUSH! This blow paralyzed the "persecution," and Judge Lewis immediately ordered the jury to bring in a verdict of "not guilty" in the case of Davis and "not guilty" on one count against Foster!

After months of imprisonment, innumerable indignities and persecution, but little freedom under an exorbitant bond of $15,000, W. F. DAVIS, an innocent man, was liberated and free, now fully vindicated and by the very witnesses who were summoned to railroad him to the penitentiary! No witnesses were necessary to vindicate him! No witness was questioned in his behalf! No lawyer's plea made to defend him! Not one scintilla of evidence produced against him! He, as the reader will well see, was the innocent victim of one of the most damnable and foul pieces of jobbery in the annals of degenerate sleuthdom! How plainly did the jobbers overjob themselves!

Friday, Feb. 26, the examination of witnesses for the defense began, and then came revelations of the utter debasement of hired fiends who would have perpetrated a crime upon Colorado's fair name that time could never eradicate! The testimony of dozens of unimpeachable witnesses proved clearly an absolute alibi for Parker and Foster. The testimony of Victor Mathers proved conclusively to any mind that the foul conspiracy and alleged crime was carried out by Sleuth Scott with Sleuth Sterling a close accomplice! Section Foreman Powers measured the tracks in the snow the morning of the bungling job and his testimony proved a most perfect link in the unbroken chain of evidence against Scott and Sterling as the actual perpetrators of the alleged "attempted wreck!" Under the positively unimpeachable evidence of the numerous witnesses for the defense, the "persecution" utterly collapsed!

Saturday, Feb. 28, witnessed the complete demolishing of every scintilla of every suspicion, let alone of evidence, against the defendants, and the diabolical jobbery of ambitious sleuths and spies and the wholesale perjuries of the star witnesses for the "persecutions" had been thoroughly exposed and nothing but the formality of absolute acquittal by the jury was necessary to legally establish the innocence of the victims of one of the most henious plots ever conceived in the minds of persecutors!

On Wednesday that vindication came, and on the first preliminary ballot of the jury! The corrupt house of cards has fallen! Shattered by honesty and truth! And now I am PROUD to give to the world the verdict of the jury of peers, as follows:

"The people of the state of Colorado vs Sherman Parker and Thomas Foster—No. 785. Verdict—We ,the jury, find the defendants, Sherman Parker and Thomas Foster, not guilty. E. A. EISWORTH, Foreman.

"The people of the state of Colorado vs Sherman Parker—No. 784. Verdict—We, the jury, find the defendant, Sherman Parker, not guilty.
"E. A. EISWORTH, Foreman."

The above verdicts were reached by the unanimous agreement of the jurors, after a single ballot had been taken, within five minutes from the time the jury retired! "Out of courtesy to the court," as one of the jurors expressed it, "we remained out nearly an hour before announcing our verdict."

Before the jury came in the cases against Sherman Parker, C. G. Kennison, W. F. Davis and Steve Adams for the alleged murder of Supt. McCormick and Shift Boss Beck, of the Vindicator mine, Nov. 21, were nolle prossed by Assistant District Attorney Cole. At the same time he nolled the cases against W. F. Davis, who was accused of pulling spikes in the alleged attempted train wrecks of Nov. 13 and 17. He also said that he would nolle prosse the cases against Thos. Foster and Sherman Parker, which he did on March 7.

Thus have the despicable machinations of the Mine Owners' association and Governor Peabody's "constitution preservers" aided by that workingman's foe, the Citizens' alliance, fallen to the ground! Out of the hundred or more arrests, villainies unsurpassed in the history of the United States, Not one conviction secured! The Record force's cases all nolle prossed! All other cases nolle prossed and found not guilty by a jury of peers! An expense to Teller county of over $8,000! An expense to the state of over half a million! A loss to the mine owners of many millions! An unremovable smirch on the fair name of Colorado! And an expense of thousands to the Western Federation!

And what has been accomplished? It has been proven that the Western Federation of Miners is composed of men of honor, that their leaders are patriots and martyrs, that crime is foreign to their nature and that they have suffered as did the Christians in the time of Nero!

That the Peabody administration is a remorseless enemy to labor! a supporter and abettor of injustice! No respector of the courts or laws! And a militant usurper of the constitutional rights of the masses!

Oh God! workingmen! union or non-union! WILL we endorse such atrocities? such unjustness in our high places of honor, such tyrannical treatment of our brother man, such despotism, such surf creating usurpation of our constitution of liberty to the foul ends of such a class of greed and corruption? NO! NO! A THOUSAND TIMES NO! Will ALL labor unite and FOREVER overthrow by peaceable ballot an oligarchy that dooms us to slavery? YES! YES! A THOUSAND TIMES, YES!

EDWARD BOYCE, EX-PRESIDENT W. F. M.

AS TO WESTERN FEDERATION OFFICERS.

MR. EDWARD BOYCE, who was president of the Western Federation for six years and a member of the first executive committee, is a man loved and honored, not only by his brothers of the unions, but commands the respect of every man who has ever had the pleasure of his acquaintance. He was president so long and (as a member expressed it) fathered the Western Federation so long that when he was forced by ill health to resign, the members felt as though no one could ever take the place and fill satisfactorily the position held by Mr. Boyce. He has always used his wonderful personality for the benefit of the W. F. M., his fellowman and humanity in general. Mr. Boyce at this writing is in Florida for his health, but while absent in person, his good-will and influence which will always remain, is ever present.

MR. MAHER is another of whom nothing but the best can be said. What more could the writer say of either Mr. Boyce or Maher than to repeat the language of a prominent man, when showing the writer pictures of Mr. Boyce and Mr. Maher; "These men are the makers of the Western Federation"

MR. CHARLES H. MOYER was elected president to fill the place Mr. Boyce had filled so ably for six years. I have the honor of knowing Mr. Moyer personally and can do no more than say that the Western Federation has found that they have another man that has proved himself capable to handle their affairs successfully. Mr. Moyer thinks deeply, considers well,

MR. MAHER, EX-SECRETARY W. F. M.

weighs all matters fairly, and when he takes a step it is always forward and never backward—at the same time he is not a man that would tolerate a proposition to retract an action once taken. A member of the executive board in speaking of Mr. Moyer said in part: "When Mr. Boyce had to resign on account of ill health, I wondered who, in the Federation, was big enough to take his place; I could think of no one that I believed capable. But Mr. Moyer has proven big enough and in every way a revelation to us."

MR. WM. D. HAYWOOD, as secretary, has filled a position that few men could fill so well. There are not many men that could and would feel the same personal interest in every member's own personal welfare that Mr. Haywood does. He is at all times ready to sacrifice his own pleasures, not to speak of time (he never has any) for the members and friends of organized labor—I say sacrifice his pleasure—but it appears that his pleasure is to please and serve his fellowmen. With Mr. Chas. H. Moyer as president; Mr. Wm. D. Haywood as secretary-treasurer; Mr. John M. O'Neill as editor of the Miners' Magazine, and the executive board now serving, at the helm of the Western Federation of Miners, the organization could not be less

CHARLES H. MOYER, PRESIDENT W. F. M., FROM LATEST PHOTOGRAPH, MADE ESPECIALLY FOR THIS WORK.

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than it is—the grandest organization of the mighty West.

I fail here. I may possibly be able to explain to the reader conditions and occurrences in the Cripple Creek district in a way to be understood; I may be able to describe scenes to which I have been an eye witness; I may do these things in a way; but to attempt to explain or picture to the reader the many good qualities of the Western Federation of Miners is too much for me—I am not capable. Mr. Moyer, as president, and Mr. Haywood, secretary-treasurer, has urged at ALL times, to ALL members the necessity of keeping "cool" and not to be hasty; at ALL times to OBSERVE THE LAW and not to lose patience. The reader will well understand by this

WILLIAM D. HAYWOOD, SECRETRY-TREASURER W. F. M.

time that there were times that it appeared that "patience had ceased to be a virtue." The leaders, however, being conscientious, intelligent and capable men in the proper place, set the example, and the others, having the proper confidence and respect for the brothers they had elected to these positions, followed that example. The mine owners, or one prominent member of the association, in talking to the writer, referred to the prominent members of the W. F. M. as "red handed leaders," and yet, with ALL their efforts for the past six months, not to speak of the half million the taxpayers are supposed to pay out in the future—have failed to show anyone how a member of the W. F. M. was even within a mile of the place where a crime was committed! The writer has felt at many times as though it was almost cowardly for us—I say us, because I would as soon be stabbed in the back myself as to stand idly by and see a hired coward stab a brother in the back, and they ARE brothers, because I am a member of Typographical 275; they are not members of my one particular union, but the only reason we are not members of the same union is that I use a "stick" and they a pick and I have an editor for a boss and the brother miner a superintendent. We are both subjected to the same condition. He is on strike today, I may be tomorrow. We BOTH stand for the same—UNIONISM.

The people of this nation for a century and a quarter have celebrated the anniversary of that great epoch in American history, and dedicated with parade and speech the memorable 4th day of July in commemoration of the notes of liberty that rang from the old casting suspended in the tower of Faneuil hall, signalizing the birth of a republic whose people had groaned beneath the yoke of king-rule. Each succeeding year the people have gathered in city, town and hamlet and boasted of the justice and freedom contained in the Declaration of Independence. The eloquent tongue and the poetic pen have paid tributes to our liberty, and made us feel that here in this country where Columbus planted the cross, the emblem of Christianity, men were kings and women were queens, armored and shielded with a panoply of sovereignty that proclaimed defiance to every species of despotism. Hearts that beat for a broader liberty in the kingdoms and monarchies of the old world longed to leave the crumbling dynasties of regal oppression and tyranny, and cross the trackless deep and build homes upon the bosom of a nation whose constitution was built upon the shattered ruins of deposed imperialism. The scourged and downtrodden of bayonet-bristling Europe, as they trod the decks of ocean ships mounting wave after wave, bearing them nearer and nearer to the land of promise, felt and believed that here in a new world where royal domination was strangled to death, manhood would develop, and citizenship would be forever fortressed by the inalienable right of "life, liberty and the pursuit of happiness." The great mass, upon whose shoulders rests the stability of this nation, have been lulled to sleep and while they slept in the belief that human liberty was safe, a silken thread was woven which today has become a mighty cable which the power of a Hercules or a Sampson cannot break. On the soil of boasted freedom has risen an oligarchy of wealth that knows no law, that recognizes no liberty save the unbridled licenses of the mercenary brigand. The charter of '76 is as lifeless as the dust of the patriots that sleep in the voiceless tomb, and that document which called to arms the patriots who consecrated its every word in a baptism of blood has been torn from the hands of the subjugated slaves in the isles of the Pacific and stamped with the brand of sedition and treason. The sacred souvenirs of American liberty have been desecrated by the polluted and sacreligious hand of lawless monopoly, and individual liberty, clad in the shoddy fabric of wage slavery, has been sentenced to death. For more than half a century the domain of human rights has been contracting under the arrogant and untrammeled sway of corporate might, and pirates of the sea of commercialism, drunk upon the wine of opulence, have a vision of the flecks of foam that can be seen upon the rising billows of hungry desperation, threatening to engulf a world in an ocean of blood. We have thrown wide the gates of this republic and beckoned to the millions of European brawn and brain, who were chanting requims over the grave of buried liberty, to come to our shores and dwell in this paradise where humanity has been taught that "all men are equal," but now in the morning light of an infant century, liberty is a corpse, assassinated by the dagger of military anarchy. Upon the industrial battlefield for a quarter of a century in this country has been heard the dying wails and groans of labor. The pistol of the hired corporate murderer and the rifle of the uniformed soldier have poured their missiles of death into the ranks of labor, and moneyed nobility has applauded with cheers the wanton slaughter. The soil of every state in the union has been wet with the blood of labor's martys, to appease the thirst of soulless greed. The commandment, "Thou shalt not kill," has found no place in the lexicon of commercial avarice. The "government of the people, by the people and for the people," has become the government of trusts and corporations, and citizenship without property has no protection under the constitution of state or nation!

The labor history of Pittsburg, Homestead, Lattimer, Chicago, Couer d'Alenes and the usurpation of civil liberty in the Cripple Creek and Telluride districts of Colorado, proclaims beyond the question of a doubt that the reign of justice has passed away and that corporate wealth, backed and supported by all the awe and intimidation concentrated in the machinery of military power are to be used in crushing the rebellion of organized labor against the invasion of solidified commercialism. The Dick military bill, which was written upon the Federal statutes appropriating to the president of the United States far more power than was ever enjoyed by a Russian czar, might well cause the people to ponder, and ask themselves, "Whither is the republic drifting?" A civilization that demands the implements of war to protect it is doomed, and the great mass whom plutocracy has destined to bear the brunt of conflict will not be carried off its feet by a patriotism that establishes commercial supremacy at the expense of human life. That nation is only strong whose yeomanry basks in the sunlight of a liberty that is free from the noxious effluvia of an atmosphere that breeds in the human heart the germs of murder. Wrong was never righted by the bullet or the sword. The savage and barbarian who use the club and spear have as high a conception of justice as so-called civilized society, that slacks its thirst for blood through the polished steel of gatlin gun and cannon. Wrong maintained and perpetuated by all the modern machinery of war may have a temporary triumph, and right may be put in prison, but the spirit of justice that will be as eternal as humanity itself, shall repeat its demands until the thundering voice of the mighty millions shall shake the pillars of a system that has moulded and invented the machines of blood and carnage! The poverty of the world born in greed shall weld together the links of a chain that shall circle the globe, and the plebian disinherited mass shall come together in a fraternity, whose brotherhood shall sweep from the face of our planet the last vistage of that tinseled pagentry that marked the era of war, bloodshed and murder!

Senator Patterson introduced a resolution in the U. S. senate demanding an investigation in the Cripple Creek district that will always be remembered, not only by the friends of labor, but by the opposition as well. At once the Citizens' alliance sent up a wail that could be heard from coast to coast.

Why this agitation? Is it possible that the Citizens' alliance, who claim to be the only law-abiding people in the district, were afraid to have an investigation? Is it not a fact that they knew they would be shown up in their true light? It seems that they have a very guilty conscience.

The Western Federation want it understood that they stand for law and order and courted a thorough investigation. They had nothing to fear. Only the guilty need fear. They were willing to let the public be the judge.

Senator Patterson knew the conditions and was true to his fellowmen; true to his state; true to his principles of manhood, and true to the constitution when he asked for an investigation of conditions in the district. The Western Federation courted and demanded an investigation. The mine owners, Citizens' alliance and their few followers DARE NOT permit the investigation—they also knew the true conditions.

One last appeal to the voters! Working men and women wake up to the necessity of casting a ballot in your own behalf! The ballot is the only remedy for those who toil and delve. Meet me at the ballot box in November—I WILL BE THERE—and cast your ballot for your own and your brother's interest, not only then, but FOREVER hereafter. It is the only salvaton of the laboring people.

Press reports on the strike were not what they should have been in most cases. The Associate Press reports went out from military headquarters and not from officials of the city or county. Had the press reports been fair or just, THIS BOOK WOULD NEVER HAVE BEEN WRITTEN.

Before making my closing remarks I wish to call the attention of the governor of this state to a statement in the Declaration of Independence. It says, with reference to King George: "HE HAS AFFECTED TO RENDER THE MILITARY DEPENDENT OF, AND SUPERIOR TO, THE CIVIL POWER." It would be well for Governor Peabody and his subordinates to carefully read the Declaration of Independence, the Constitution of the United States and the Constitution of the State of Colorado.

The time has come when I must close. I do so with reluctance. Much more could be written and every page, as are these few, confined to TRUTH.

I have a few apologies to offer—NOT for anything I have said, far from it. But for the appearance of this work. It is the work of one woman—only an apprentice on the linotype. I have compiled the work, set the type, read the proofs, made the pictures from which many of the illustrations are made, folded the books, and while getting out the work have taken care of my work as usual, doing my own sewing, baking, washing and ironing and other work that falls to the lot of woman. Outside of that I have worked at my trade sufficient to pay the greater part of the expense of halftones and press work. I attended the trials of my union brothers and fulfilled my duties as secretary to orders and membership of committees. I have in all my work on the book searched diligently for FACTS. I have been handicapped by getting the work out in a small office and entirely alone; and more especially by a lack of finance—a very necessary perquisite. I have not slept the full number of hours set apart by many for rest, I will admit. Therefore I say to you reader, be charitable in criticism of the MECHANICAL part, typographical errors, mis-spelling, etc., but as to the FACTS, I would not unsay ONE WORD or one phrase recorded on these pages.

To the management of the Cripple Creek Times, Mr. Griffith, I owe a vote of thanks for several favors extended me by the gratuitous loan of material; also to his foreman, Mr. Foster, for courtesies extended.

Mr. Steele, the great cartoonist of the West, on the Denver Post, is entitled to my best wishes for the courtesy extended in permitting me to reproduce the cartoons drawn by him, which you find in these pages.

My story is ended—the strike still goes on. Reader, you have the FACTS. WEIGH THEM WELL and be YOURSELF the judge and YOU may answer from your heart—the right WILL and MUST predominate in our glorious state. Therefore, the Western Federation of Miners, representing Education, Organization and Independence, has, or WILL WIN THE VICTORY.

THE END.